



**STATE CAPITOL**  
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**CHIEF ADMINISTRATIVE OFFICER**  
DEBRA GRAVERT

**Assembly**  
**California Legislature**  
**Committee on Rules**

**KEN COOLEY**  
**CHAIR**

**VICE CHAIR**  
CUNNINGHAM, JORDAN

**MEMBERS**  
BENNETT, STEVE  
FLORA, HEATH  
GIPSON, MIKE A.  
LEE, ALEX  
LEVINE, MARC  
MAIENSCHN, BRIAN  
MATHIS, DEVON J.  
RAMOS, JAMES C.  
RUBIO, BLANCA E.  
VILLAPUDUA, CARLOS

VALLADARES, SUZETTE  
MARTINEZ (R-ALT)

Thursday, April 29, 2021  
30 minutes prior to Session  
State Capitol, Room 4202

**CONSENT AGENDA**

**BILL REFERRALS**

1. Bill Referrals

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**RESOLUTIONS**

2. ACR-71 (Villapudua) Provider Appreciation Day.
3. ACR-78 (Eduardo Garcia) Senior Malnutrition Awareness Day (refer/hear)
4. HR-36 (Robert Rivas) Cinco De Mayo Week.
5. HR-40 (Ramos) Missing And Murdered Indigenous Women And Girls Awareness Month. (refer/hear)
6. SCR-2 (Umberg) Black April Memorial Month.
7. SCR-21 (Rubio) Justice Ruth Bader Ginsburg Day.

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**REGULAR AGENDA**

8. AB-338 (Ramos) State Capitol grounds.

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BLANCA E. RUBIO  
CARLOS VILLAPUDUA

SUZETTE VALLADARES (R-ALT.)

# Memo

**To:** Rules Committee Members  
**From:** Michael Erke, Bill Referral Consultant  
**Date:** 4/28/2021  
**Re:** Consent Bill Referrals

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Since you received your preliminary list of bill referrals, AB 706 has been added to the list of referrals.

## REFERRAL OF BILLS TO COMMITTEE

04/29/2021

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	Committee:
<u>AB 706</u>	RLS.
<u>ACR 74</u>	TRANS.
<u>ACR 75</u>	RLS.
<u>ACR 76</u>	RLS.
<u>ACR 77</u>	RLS.
<u>ACR 78</u>	RLS.
<u>HR 40</u>	RLS.
<u>SCR 25</u>	RLS.

## Assembly Concurrent Resolution

**No. 71**

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**Introduced by Assembly Member Villapudua**

April 19, 2021

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Assembly Concurrent Resolution No. 71—Relative to Provider Appreciation Day.

### LEGISLATIVE COUNSEL’S DIGEST

ACR 71, as introduced, Villapudua. Provider Appreciation Day.

This measure would proclaim May 7, 2021, as Provider Appreciation Day in California, and urges all Californians to recognize childcare providers for their important work.

Fiscal committee: no.

1 WHEREAS, The Family Resource and Referral Center, Child  
2 Care Aware of America (CCAoA), the National Association for  
3 Family Child Care (NAFCC), the National Association for the  
4 Education of Young Children (NAEYC), the National Head Start  
5 Association (NHSA), the National Indian Child Care Association  
6 (NICCA), Teachstone, the AfterSchool Alliance, and other  
7 organizations nationwide are recognizing childcare providers on  
8 May 7, 2021, National Provider Appreciation Day; and

9 WHEREAS, Of the 20,000,000 children under five years of age  
10 in America, nearly 11,000,000 are in some form of childcare  
11 setting; and

12 WHEREAS, By calling attention to the importance of high  
13 quality childcare services for all children and families in California,  
14 these groups hope to improve the quality and availability of these  
15 services; and

1 WHEREAS, As frontline workers, childcare providers have  
2 taken on the key role of supporting the children and families of  
3 the essential workforce during the COVID-19 crisis, putting in  
4 harm's way their own health and the health of their families to  
5 ensure that children continue to receive quality care, and that they  
6 are engaged in distance learning during school closures; and

7 WHEREAS, Childcare is an economic driver, leading to a strong  
8 workforce, strong business, and strong economy and will be critical  
9 to the success of businesses reopening in California, as well as  
10 employers returning to work and retaining working parents during  
11 this economic crisis; and

12 WHEREAS, Our future depends on the quality of the early  
13 childhood experiences provided to young children today. High  
14 quality early childcare services represent a worthy commitment  
15 to our children's future; now, therefore be it

16 *Resolved by the Assembly of the State of California, the Senate*  
17 *thereof concurring*, That the Legislature hereby proclaims May 7,  
18 2021, as Provider Appreciation Day in California, and urges all  
19 Californians to recognize childcare providers for their important  
20 work; and be it further

21 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
22 of this resolution to the author for distribution.

O

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 71 (Villapudua) – As Introduced April 19, 2021

**SUBJECT:** Provider Appreciation Day.

**SUMMARY:** Proclaims May 7, 2021, as Provider Appreciation Day in California, and urges all Californians to recognize childcare providers for their important work. Specifically, **this resolution** makes the following legislative findings:

- 1) Of the 20,000,000 children under five years of age in America, nearly 11,000,000 are in some form of childcare setting.
- 2) As frontline workers, childcare providers have taken on the key role of supporting the children and families of the essential workforce during the COVID-19 crisis, putting in harm's way their own health and the health of their families to ensure that children continue to receive quality care, and that they are engaged in distance learning during school closures.
- 3) Childcare is an economic driver, leading to a strong workforce, strong business, and strong economy and will be critical to the success of businesses reopening in California, as well as employers returning to work and retaining working parents during this economic crisis.
- 4) Our future depends on the quality of the early childhood experiences provided to young children today. High quality early childcare services represent a worthy commitment to our children's future.
- 5) Numerous organizations in California and nationwide are recognizing childcare providers on May 7, 2021.
- 6) By calling attention to the importance of high quality childcare services for all children and families in California, these groups hope to improve the quality and availability of these services.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

## Assembly Concurrent Resolution

**No. 78**

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**Introduced by Assembly Member Eduardo Garcia**  
(Coauthors: Senators Bates and Caballero)

April 27, 2021

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Assembly Concurrent Resolution No. 78—Relative to Senior Malnutrition Awareness Day.

### LEGISLATIVE COUNSEL’S DIGEST

ACR 78, as introduced, Eduardo Garcia. Senior Malnutrition Awareness Day

This measure would designate May 4, 2021, as Senior Malnutrition Awareness Day.

Fiscal committee: no.

1 WHEREAS, Leading health and nutrition experts agree that  
2 nutrition is a direct measure of patient health and that good  
3 nutrition can keep older adults healthy and out of institutionalized  
4 health care facilities, thus reducing health care costs; and

5 WHEREAS, Inadequate or unbalanced nutrition, known as  
6 malnutrition, is predominant in vulnerable populations, such as  
7 older adults, hospitalized patients, and minority populations, and  
8 those populations statistically experience the highest cases of severe  
9 chronic illnesses, such as diabetes, kidney disease, and  
10 cardiovascular disease; and

11 WHEREAS, Illness, injury, and malnutrition can result in the  
12 loss of lean body mass, leading to complications that impact patient  
13 health outcomes, including poor recovery from surgery, illness,  
14 and disease, and

1 WHEREAS, Older adults lose lean body mass more quickly  
2 and to a greater extent than younger adults, and weight assessments,  
3 including body weight and body mass index, can overlook accurate  
4 indicators of lean body mass; and

5 WHEREAS, The American Society for Parenteral and Enteral  
6 Nutrition (ASPEN) defines malnutrition, also known as  
7 undernutrition, in adults as a condition in which adult patients lack  
8 adequate calories, protein, or other nutrients needed for tissue  
9 maintenance and repair; and

10 WHEREAS, Despite the recognized link between good nutrition  
11 and good health, nutrition screening treatment has not been  
12 incorporated as a part of routine medical treatment across the  
13 spectrum of health care; and

14 WHEREAS, Raising awareness of the risk factors of  
15 malnutrition, including poor appetite, low body weight, loss of  
16 muscle and fat, bone loss, and inadequate access to healthy food,  
17 can assist friends and family members identify malnutrition in a  
18 loved one; and

19 WHEREAS, May 4, 2021, is the Sixth Annual Senior Rally Day  
20 at the California State Capitol, and will focus on senior issues  
21 across the state, with a special emphasis on food insecurity; now,  
22 therefore, be it

23 *Resolved by the Assembly of the State of California, the Senate*  
24 *thereof concurring*, That the Legislature hereby designates May  
25 4, 2021, as Senior Malnutrition Awareness Day in order to  
26 encourage Californians and health care workers to recognize  
27 malnutrition in vulnerable seniors and raise awareness of this  
28 critical issue; and be it further

29 *Resolved*, That the Chief Clerk of the Assembly transmit a copy  
30 of this resolution to the author for appropriate distribution.

O



Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
ACR 78 (Eduardo Garcia) – As Introduced April 27, 2021

**SUBJECT:** Senior Malnutrition Awareness Day

**SUMMARY:** Designates May 4, 2021, as Senior Malnutrition Awareness Day in order to encourage Californians and health care workers to recognize malnutrition in vulnerable seniors and raise awareness of this critical issue. Specifically, **this resolution** makes the following legislative findings:

- 1) Leading health and nutrition experts agree that nutrition is a direct measure of patient health and that good nutrition can keep older adults healthy and out of institutionalized health care facilities, thus reducing health care costs.
- 2) Inadequate or unbalanced nutrition, known as malnutrition, is predominant in vulnerable populations, such as older adults, hospitalized patients, and minority populations, and those populations statistically experience the highest cases of severe chronic illnesses, such as diabetes, kidney disease, and cardiovascular disease.
- 3) Illness, injury, and malnutrition can result in the loss of lean body mass, leading to complications that impact patient health outcomes, including poor recovery from surgery, illness, and disease.
- 4) Older adults lose lean body mass more quickly and to a greater extent than younger adults, and weight assessments, including body weight and body mass index, can overlook accurate indicators of lean body mass.
- 5) Despite the recognized link between good nutrition and good health, nutrition screening treatment has not been incorporated as a part of routine medical treatment across the spectrum of health care.
- 6) Raising awareness of the risk factors of malnutrition, including poor appetite, low body weight, loss of muscle and fat, bone loss, and inadequate access to healthy food, can assist friends and family members identify malnutrition in a loved one.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Senior Legislature

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800



STATE OF CALIFORNIA  
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April 27, 2021

The Honorable Ken Cooley  
Chair, Assembly Rules Committee  
Room 3016  
Sacramento, California 95827

**RE: Support for ACR 78 - SENIOR MALNUTRITION AWARENESS DAY – MAY 4, 2021**

Dear Assembly Member Cooley:

We write in strong SUPPORT of a ACR 78 introduced by Assembly Member Garcia that would designate May 4, 2021 as **Senior Malnutrition Awareness Day**. Leading health and nutrition experts agree that nutrition status is directly linked to patient health. Good nutrition can help keep older adults healthy and out of congregate healthcare facilities, reducing healthcare costs.

Malnutrition is predominant in older adults. It is paramount that we raise awareness to this critical issue. Therefore, the California Senior Legislature would like to bring special emphasis on food insecurity during the Senior Rally Day on May 4, 2021 – deeming this day **Senior Malnutrition Awareness Day**.

This issue falls within the Master Plan for Aging Goal 5: Affordable Aging. Many seniors simply cannot afford healthy food with the limited resources that they are provided. As a State, we believe this resolution is a first step in raising awareness and educating families in identifying malnutrition in a loved one. Future steps must be taken to continue education, raising awareness and providing much needed resources to some of the Golden State's most vulnerable.

We understand that Senator Bates and Caballero have both indicated their desire to co-author ACR 78 to **Raise Awareness on Senior Malnutrition**.

Please do not hesitate to contact the CSL office at (916) 767-4382 or via e-mail at [jbailey@seniorleg.ca.gov](mailto:jbailey@seniorleg.ca.gov) for more information or further assistance.

Sincerely,

Senior Assembly Member  
Anne Warren  
Chair, Legislative Committee

Senior Assembly Member  
John Pointer  
Chair, Joint Rules Committee

**Mission: To Improve the Quality of Life for Aging Californians**

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## House Resolution

**No. 36**

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**Introduced by Assembly Member Robert Rivas**

April 6, 2021

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House Resolution No. 36—Relative to Cinco de Mayo Week.

1 WHEREAS, Cinco de Mayo, or the fifth of May, is  
2 memorialized as a significant date in the history of California and  
3 Mexico in recognition of the courage of the Mexican people, who  
4 defeated a better trained and equipped army at the “Batalla de  
5 Puebla”; and

6 WHEREAS, Since the beginning of the American Civil War,  
7 Latinos in California have shown their support for the institutions  
8 of freedom and democracy by joining the forces of the United  
9 States Army, Cavalry, and Navy, risking their lives to defend free  
10 institutions; and

11 WHEREAS, Those who were unable to join the Armed Forces  
12 of the Union freely offered their support for President Abraham  
13 Lincoln; and

14 WHEREAS, The American Civil War, making it impossible  
15 for the United States to enforce the Monroe Doctrine, provided an  
16 opportunity for the Emperor of France, Napoléon III, to establish  
17 a monarchy in Mexico, thereby attempting to destroy democratic  
18 institutions that derive their power from the consent of the  
19 governed; and

20 WHEREAS, Latinos, including Californians, also offered their  
21 support and risked their lives in Mexico to defend freedom and  
22 democracy in that country by joining the armed forces of that sister  
23 republic; and

1 WHEREAS, Those who were unable to travel to Mexico to  
2 physically defend free institutions freely offered their support to  
3 President Benito Juárez by organizing over 122 Juntas Patrióticas  
4 Mexicanas within California to raise funds that were sent every  
5 month from California to Mexico to defray the costs of war in that  
6 country; and

7 WHEREAS, Cinco de Mayo serves to remind us that the  
8 foundation of any nation and our state is its people, in their spirit  
9 and courage in the face of adversity, in the strength of their drive  
10 to achieve self-determination, and in their willingness to sacrifice  
11 even life itself in the pursuit of freedom and liberty; and

12 WHEREAS, Cinco de Mayo offers an opportunity to reflect on  
13 the courage and achievements not only of the Mexican forces at  
14 Puebla, but also on the courage and achievements of Latinos here  
15 in California; and

16 WHEREAS, Latino resilience ensured the eventual triumph of  
17 Union forces, and were it not for Mexico's triumph at the Batalla  
18 de Puebla, the deterrence of possible French support for  
19 Confederate troops may not have occurred and the outcome of the  
20 Civil War may have been dramatically altered; and

21 WHEREAS, Achievements by Latinos in America and  
22 California include contributions to all facets of our community;  
23 and

24 WHEREAS, Latino voters continue to go to the polls in record  
25 numbers and influence the entrance of newly elected Latino public  
26 officials in both the Democratic and Republican parties and  
27 influence issues that encompass providing affordable housing,  
28 investing in our children, ensuring that higher education is  
29 affordable and accessible, creating good paying jobs for working  
30 families, and improving the overall quality of life for all  
31 Californians; and

32 WHEREAS, California's Latinos have contributed to the state's  
33 culture and society through their many achievements in music,  
34 food, dance, poetry, literature, architecture, entertainment, sports,  
35 and a broad spectrum of artistic expression; and

36 WHEREAS, Latinos in California have challenged the frontiers  
37 of social and economic justice, thereby improving the working  
38 conditions and lives of countless Californians; and

39 WHEREAS, Latino entrepreneurs in the United States are the  
40 fastest growing group of business owners in our economy; and

1 WHEREAS, In 2001, the Latino Caucus saw a need to recognize  
2 and honor distinguished Latinos for their contributions and  
3 dedication to the economy and cultural life of California and the  
4 United States with the annual Latino Spirit Awards. These  
5 recipients are outstanding individuals who have greatly contributed  
6 to the wonderful music, poetry, literature, journalism, and  
7 entertainment of California, the United States, and the world; now,  
8 therefore, be it

9 *Resolved by the Assembly of the State of California*, That the  
10 Assembly urges all Californians to join in celebrating Cinco de  
11 Mayo, the historic day when the Mexican people defeated the  
12 French army at the Batalla de Puebla, and to recognize the Latino  
13 noncombatants in California who freely gave their votes and  
14 resources to defend free institutions, and the Latinos of California  
15 who fought to defend the freedom of the United States in every  
16 armed conflict from the Spanish American War to the current  
17 conflicts in Iraq and Afghanistan; and be it further

18 *Resolved*, That the Assembly declares May 2, 2021, through  
19 May 8, 2021, as Cinco de Mayo Week; and be it further

20 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
21 of this resolution to the author for appropriate distribution.

O

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
HR 36 (Robert Rivas) – As Introduced April 6, 2021

**SUBJECT:** Cinco de Mayo Week.

**SUMMARY:** Declares May 2, 2021, through May 8, 2021, as Cinco de Mayo Week  
Specifically, **this resolution** makes the following legislative findings:

- 1) Cinco de Mayo, or the fifth of May, is memorialized as a significant date in the history of California and Mexico in recognition of the courage of the Mexican people, who defeated a better trained and equipped army at the “Batalla de Puebla”.
- 2) Since the beginning of the American Civil War, Latinos in California have shown their support for the institutions of freedom and democracy by joining the forces of the United States Army, Cavalry, and Navy, risking their lives to defend free institutions.
- 3) Cinco de Mayo serves to remind us that the foundation of any nation and our state is its people, in their spirit and courage in the face of adversity, in the strength of their drive to achieve self-determination, and in their willingness to sacrifice even life itself in the pursuit of freedom and liberty.
- 4) Cinco de Mayo offers an opportunity to reflect on the courage and achievements not only of the Mexican forces at Puebla, but also on the courage and achievements of Latinos here in California.
- 5) California’s Latinos have contributed to the state’s culture and society through their many achievements in music, food, dance, poetry, literature, architecture, entertainment, sports, and a broad spectrum of artistic expression.
- 6) Latinos in California have challenged the frontiers of social and economic justice, thereby improving the working conditions and lives of countless Californians. Latino entrepreneurs in the United States are the fastest growing group of business owners in our economy.
- 7) In 2001, the Latino Caucus saw a need to recognize and honor distinguished Latinos for their contributions and dedication to the economy and cultural life of California and the United States with the annual Latino Spirit Awards. These recipients are outstanding individuals who have greatly contributed to the wonderful music, poetry, literature, journalism, and entertainment of California, the United States, and the world.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

## House Resolution

**No. 40**

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**Introduced by Assembly Member Ramos**

April 26, 2021

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House Resolution No. 40—Relative to Missing and Murdered Indigenous Women and Girls Awareness Month.

1 WHEREAS, In 2016, 5,712 missing and murdered indigenous  
2 cases were reported to the National Crime Information Center;  
3 and

4 WHEREAS, According to the federal Centers for Disease  
5 Control and Prevention, homicide is the second to seventh leading  
6 cause of death for indigenous women; and

7 WHEREAS, According to a study conducted on behalf of the  
8 United States Department of Justice, in some tribal communities,  
9 indigenous women face murder rates 10 times higher than the  
10 national average. No such study exists for urban areas; and

11 WHEREAS, Little data exists on the epidemic of missing and  
12 murdered indigenous women and girls, and data that is available  
13 is incomplete and inadequate; and

14 WHEREAS, The data that does exist on this issue focuses  
15 primarily on indigenous women living on reservations, despite  
16 approximately 70 percent of native people living in urban cities;  
17 and

18 WHEREAS, According to the first report conducted by the  
19 Urban Indian Health Institute in 2018 on missing and murdered  
20 indigenous women in urban cities:

21 (1) In 27 percent of the missing and murdered indigenous  
22 women cases, the victims were 18 years of age or younger.



1 (2) The average age for missing and murdered indigenous  
2 women was 29.

3 (3) California has the sixth highest death rate of indigenous  
4 women in urban cities; and

5 WHEREAS, According to the most recent census data,  
6 California has the largest population of American Indians, more  
7 than any other state in the country; now, therefore, be it

8 *Resolved by the Assembly of the State of California* That the  
9 Assembly hereby designates the month of May 2021 as California's  
10 Missing and Murdered Indigenous Women and Girls Awareness  
11 Month; and be it further

12 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
13 of this resolution to the author for appropriate distribution.

O

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
HR 40 (Ramos) – As Introduced April 26, 2021

**SUBJECT:** Missing and Murdered Indigenous Women and Girls Awareness Month.

**SUMMARY:** Designates the month of May 2021 as California’s Missing and Murdered Indigenous Women and Girls Awareness Month. Specifically, **this resolution** makes the following legislative findings:

- 1) In 2016, 5,712 missing and murdered indigenous cases were reported to the National Crime Information Center.
- 2) According to a study conducted on behalf of the United States Department of Justice, in some tribal communities, indigenous women face murder rates 10 times higher than the national average. No such study exists for urban areas.
- 3) Little data exists on the epidemic of missing and murdered indigenous women and girls, and data that is available is incomplete and inadequate. The data that does exist on this issue focuses primarily on indigenous women living on reservations, despite approximately 70 percent of native people living in urban cities.
- 4) According to the first report conducted by the Urban Indian Health Institute in 2018 on missing and murdered indigenous women in urban cities, the victims were 18 years of age or younger in 27 percent of the cases; and, the average age for missing and murdered indigenous women was 29.
- 5) California has the sixth highest death rate of indigenous women in urban cities.
- 6) According to census data, California has the largest population of American Indians, more than any other state in the country.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

AMENDED IN SENATE MARCH 23, 2021

AMENDED IN SENATE MARCH 22, 2021

## Senate Concurrent Resolution

**No. 2**

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**Introduced by Senator Umberg**  
*(Principal coauthor: Assembly Member Daly)*  
*(Coauthors: Senators Min and Pan)*

December 7, 2020

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Senate Concurrent Resolution No. 2—Relative to Black April Memorial Month.

### LEGISLATIVE COUNSEL'S DIGEST

SCR 2, as amended, Umberg. Black April Memorial Month.

This measure would proclaim the month of April 2021 as Black April Memorial Month, a special time for Californians to remember the countless lives lost during the Vietnam War era, and to hope for more justice and liberty for the people of Vietnam.

Fiscal committee: no.

- 1 WHEREAS, April 30, 2021, marks the 46th year since the Fall  
2 of Saigon, on April 30, 1975, to communism; and  
3 WHEREAS, For many Vietnam and Vietnam-era veterans who  
4 were directly involved in the war, and Vietnamese Americans who  
5 have settled in the United States, the Vietnam War was a tragedy  
6 full of great suffering and loss of American, Vietnamese, and  
7 Southeast Asian lives; and  
8 WHEREAS, The combined United States and South Vietnamese  
9 fatalities among service people during the Vietnam War reached  
10 more than 300,000, with approximately 1,000,000 additional troops  
11 being wounded in combat. Millions of Vietnamese civilians

97

1 suffered casualties and death as a result of the extended conflict;  
2 and

3 WHEREAS, During the Fall of Saigon, millions of Vietnamese  
4 people and their families, including, but not limited to, former  
5 military personnel, government officials, and those who had  
6 worked for the United States during the war, fled Vietnam to  
7 surrounding areas and the United States; and

8 WHEREAS, In the late 1970s to mid-1980s, an estimated  
9 500,000 Vietnamese people risked their lives by fleeing Vietnam  
10 aboard small boats in a mass exodus. These emigrants reached  
11 refugee camps in Thailand, Malaysia, Indonesia, the Philippines,  
12 and Hong Kong, while approximately one-half of the people fleeing  
13 Vietnam in search of freedom and democracy perished at sea; and

14 WHEREAS, The Vietnam War is marked as a tragedy for not  
15 only Vietnam and Vietnam-era veterans who were directly involved  
16 in the war, it is one full of great suffering and loss for the  
17 Vietnamese civilians and the Vietnamese Americans who crossed  
18 the sea to find this land of freedom as their safe haven. These  
19 Vietnamese American refugees had soon become a part-~~of~~ of, and  
20 continue to contribute-~~to~~ to, our American diversified culture and  
21 economy today. According to the United States Census 2010, more  
22 than 580,000 Vietnamese live in California, with the largest  
23 concentration of Vietnamese found outside of Vietnam residing  
24 in the Counties of Orange and Santa Clara; and

25 WHEREAS, Human rights, religious freedom, democracy, and  
26 protection against threats of aggression are important concerns of  
27 Vietnamese Americans and Vietnamese communities worldwide  
28 as a result of human rights abuses that continue to occur in Vietnam  
29 in the following areas: child labor, human trafficking, religious  
30 and political persecution, suppression of the press, unlawful  
31 deprivation of life, forced disappearances, and land seizure, among  
32 others; and

33 WHEREAS, We must teach our children and future generations  
34 important lessons from the Vietnam War and the continuing  
35 situation in Vietnam, including how the plight of the Vietnamese  
36 refugees following the end of the war serves as a powerful example  
37 of the values of freedom and democracy; and

38 WHEREAS, We, the people of California, should actively  
39 rededicate ourselves to the principles of human rights, individual  
40 freedom, sovereignty, and equal protection under the laws of a just

1 and democratic world. Californians should set aside moments of  
2 time every year on April 30 to give remembrance to the soldiers,  
3 medical personnel, and civilians who died during the Vietnam War  
4 in pursuit of freedom and democracy; and

5 WHEREAS, In commemoration of Black April, we would like  
6 to take a moment of silence for the veterans of the United States  
7 of America and the Republic of Vietnam in memory of the soldiers  
8 of the United States Army and Republic of Vietnam who died  
9 during the Vietnam War. With this moment of silence, we  
10 remember the countless innocent lives affected by the war, and  
11 those that continue to live with these traumatic experiences, and  
12 developed resilience to overcome these extreme challenges. We  
13 respect and honor the Vietnamese-American community in  
14 California that has grown steadily, greatly contributing to our  
15 society in every way; and

16 WHEREAS, Vietnamese American communities throughout  
17 California will commemorate April 30, 2021, as Black April, a  
18 day of remembrance and rededication to the principles of freedom,  
19 including freedom of religion, freedom of expression, freedom of  
20 the press, and internet freedom; now, therefore, be it

21 *Resolved by the Senate of the State of California, the Assembly*  
22 *thereof concurring*, That in recognition of the great tragedy and  
23 suffering and lives lost during the Vietnam War, the month of  
24 April 2021 shall be proclaimed Black April Memorial Month, a  
25 special time for Californians to remember the countless lives lost  
26 during the Vietnam War era, and to hope for more justice and  
27 liberty for the people of Vietnam; and be it further

28 *Resolved*, That the Secretary of the Senate transmit copies of  
29 this resolution to the author for appropriate distribution.

O

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 2 (Umberg) – As Amended March 23, 2021

**SENATE VOTE:** 38-0

**SUBJECT:** Black April Memorial Month.

**SUMMARY:** Proclaims the month of April 2021 as Black April Memorial Month. Specifically, **this resolution** makes the following legislative findings:

- 1) April 30, 2021, marks the 46th year since the Fall of Saigon, on April 30, 1975, to communism.
- 2) For many Vietnam and Vietnam-era veterans who were directly involved in the war, and Vietnamese Americans who have settled in the United States, the Vietnam War was a tragedy full of great suffering and loss of American, Vietnamese, and Southeast Asian lives.
- 3) During the Fall of Saigon, millions of Vietnamese people and their families, including, but not limited to, former military personnel, government officials, and those who had worked for the United States during the war, fled Vietnam to surrounding areas and the United States.
- 4) According to the United States Census 2010, more than 580,000 Vietnamese live in California, with the largest concentration of Vietnamese found outside of Vietnam residing in the Counties of Orange and Santa Clara.
- 5) We must teach our children and future generations important lessons from the Vietnam War and the continuing situation in Vietnam, including how the plight of the Vietnamese refugees following the end of the war serves as a powerful example of the values of freedom and democracy.
- 6) We, the people of California, should actively rededicate ourselves to the principles of human rights, individual freedom, sovereignty, and equal protection under the laws of a just and democratic world. Californians should set aside moments of time every year on April 30 to give remembrance to the soldiers, medical personnel, and civilians who died during the Vietnam War in pursuit of freedom and democracy.
- 7) Vietnamese American communities throughout California will commemorate April 30, 2021, as Black April, a day of remembrance and rededication to the principles of freedom, including freedom of religion, freedom of expression, freedom of the press, and internet freedom.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800

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**Introduced by Senator Rubio**

(Principal coauthors: Assembly Members Gabriel, Cristina Garcia, and Blanca Rubio)

**(Coauthors: Senators Allen, Atkins, Becker, Caballero, Durazo, Eggman, Glazer, Gonzalez, Hertzberg, Hurtado, Leyva, Melendez, Newman, Skinner, Stern, and Wiener)**

(Coauthors: Assembly Members Aguiar-Curry, Bauer-Kahan, Burke, Carrillo, Kamlager, Levine, Medina, Quirk-Silva, and Ward)

March 8, 2021

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Senate Concurrent Resolution No. 21—Relative to Justice Ruth Bader Ginsburg Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 21, as introduced, Rubio. Justice Ruth Bader Ginsburg Day.

This measure would declare that the Legislature honors the life and legacy of Justice Ruth Bader Ginsburg, and proclaims March 15, 2021, as Justice Ruth Bader Ginsburg Day, a day of remembrance and education to ensure that all Californians always honor and remember a vibrant guardian of equality for all.

Fiscal committee: no.

1 WHEREAS, Women’s History Month in the United States is  
2 celebrated in March and commemorates and encourages the study,  
3 observance, and celebration of the vital role of women in American  
4 history; and

5 WHEREAS, One of these historical leaders is Ruth Bader  
6 Ginsburg of Brooklyn, New York, born on March 15, 1933, who  
7 was one of the most notable and influential Justices to have served  
8 on the United States Supreme Court; and



1 WHEREAS, Prior to her appointment to the Supreme Court in  
2 1993, Justice Ginsburg had a respected legal career: she attended  
3 Harvard Law School and graduated first in her class from Columbia  
4 Law School; served as a law clerk to a Judge of the United States  
5 District Court; served as a law school professor at Rutgers Law  
6 School from 1963 to 1972, and at Columbia Law School from  
7 1972 to 1980; and was appointed a Judge of the United States  
8 Court of Appeals for the District of Columbia Circuit in 1980; and

9 WHEREAS, As a woman and a person of the Jewish faith,  
10 Justice Ginsburg endured gender and religious discrimination that  
11 denied her employment opportunities. However, she overcame  
12 gender and religious discrimination by becoming the first female  
13 professor to earn tenure at Columbia Law School; and

14 WHEREAS, At Harvard Law School, Justice Ginsburg tackled  
15 the challenges of motherhood and of a male-dominated school  
16 where she was one of nine females in a 500-person class. She faced  
17 gender-based discrimination from even the highest authorities  
18 there, who chastised her for taking a man's spot at Harvard Law  
19 School. Justice Ginsburg broke barriers and served as the first  
20 female member of the Harvard Law Review and Columbia law  
21 Review, and later became the second woman appointed to the  
22 United States Supreme Court. Due to her drive and persistence,  
23 she was not deterred from pursuing her goals and Justice Ginsburg  
24 truly paved the way for many women to follow; and

25 WHEREAS, As a young attorney, Justice Ginsburg was  
26 instrumental in fighting for women's rights, launching the  
27 Women's Rights Project of the American Civil Liberties Union,  
28 and from 1973 to 1976, winning five women's rights cases that  
29 she argued before the United States Supreme Court. Justice  
30 Ginsburg took a broad look at gender discrimination, fighting not  
31 just for the women left behind, but also for the men who were  
32 discriminated against. Through litigation, community outreach,  
33 advocacy, and public education, Justice Ginsburg empowered poor  
34 women, women of color, and immigrant women, who have been  
35 subject to gender bias and who faced pervasive barriers to equality.  
36 Justice Ginsburg worked to ensure that women and their families  
37 could enjoy the benefits of full equality and participate in every  
38 sphere of society; and

39 WHEREAS, The jurisprudence of Justice Ginsburg blended  
40 moral purpose with precision and technical mastery of the law.

1 Justice Ginsburg’s successful advocacy for gender equality  
2 significantly changed the law as it affects women, including the  
3 landmark decision of *Reed v. Reed*, 404 U.S. 71 (1971), the first  
4 case to hold that discrimination on the basis of sex violated the  
5 equal protection clause of the Fourteenth Amendment; and

6 WHEREAS, Justice Ginsburg was a champion for gender justice,  
7 abortion rights, voting rights, the rights of immigrants, and the  
8 rights of LGBTQ+ individuals. Justice Ginsburg steadfastly  
9 protected the rights of African Americans, women, immigrants,  
10 gays and lesbians, persons accused of crimes, political dissidents,  
11 and other groups in our society whose rights and interests are too  
12 often disregarded by a hostile or indifferent majority. She was  
13 devoted to the preservation of a fair electoral system, whether the  
14 issue was campaign finance reform, gerrymandered legislative  
15 districts, or expanding and preserving voting rights; and

16 WHEREAS, Justice Ginsburg became a leader, writing majority  
17 opinions in the *United States v. Virginia* 518 U.S. 515 (1996),  
18 holding that the Virginia Military Institute’s male-only policy  
19 violated the Equal Protection Clause, which led the institution to  
20 admit 30 women in the fall of 1997, the institution’s first ever  
21 co-ed class, and in *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581  
22 (1999), holding that the federal Americans with Disabilities Act  
23 required states to place persons with mental disabilities in  
24 community settings rather than institutions when feasible; and  
25 concurring in *Stafford Unified School District No. 1 v. Redding*,  
26 557 U.S. 364 (2009) that the strip search of a middle-school student  
27 violated the student’s Fourth Amendment rights against  
28 unreasonable searches and seizures; and

29 WHEREAS, Her oral dissent in *Ledbetter v. Goodyear Tire &*  
30 *Rubber Co., Inc.*, 550 U.S.618 (2007) pushed the United States  
31 Congress to enact, and President Barack Hussein Obama to sign,  
32 equal pay legislation in 2009, by rejecting a pay discrimination  
33 case on a technicality. She defended women’s reproductive freedom  
34 in several cases and supported gay marriage. In other cases, Justice  
35 Ginsburg defended affirmative action against a legal onslaught,  
36 and poignantly noted in interviews that she and many other women  
37 had benefited from the practice; and

38 WHEREAS, Justice Ginsburg died on September 18, 2020, at  
39 87 years of age after a long battle with cancer, and became the  
40 first woman and the first Jewish person to lie in state in 168 years

1 and only the second United States Supreme Court Justice to lie in  
2 state; and

3 WHEREAS, The nation and our state are deeply indebted to  
4 Justice Ruth Bader Ginsburg, a truly distinguished American; now,  
5 therefore, be it

6 *Resolved by the Senate of the State of California, the Assembly*  
7 *thereof concurring*, That the Legislature honors the life and legacy  
8 of United States Supreme Court Justice Ruth Bader Ginsburg and  
9 proclaims March 15, 2021, as Justice Ruth Bader Ginsburg Day,  
10 a day of remembrance and education to ensure that all Californians  
11 always honor and remember a vibrant guardian of equality for all;  
12 and be it further

13 *Resolved*, That the Secretary of the Senate transmit copies of  
14 this resolution to the author for appropriate distribution.  
15

16

17

**CORRECTIONS:**

18 **Heading—Lines 4 and 7.**

19

O

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
SCR 21 (Rubio) – As Introduced March 8, 2021

**SENATE VOTE:** 39-0

**SUBJECT:** Justice Ruth Bader Ginsburg Day.

**SUMMARY:** Honors the life and legacy of United States Supreme Court Justice Ruth Bader Ginsburg and proclaims March 15, 2021, as Justice Ruth Bader Ginsburg Day, a day of remembrance and education to ensure that all Californians always honor and remember a vibrant guardian of equality for all. Specifically, **this resolution** makes the following legislative findings:

- 1) Women’s History Month in the United States is celebrated in March and commemorates and encourages the study, observance, and celebration of the vital role of women in American history. One of these historical leaders is Ruth Bader Ginsburg, who was one of the most notable and influential Justices to have served on the United States Supreme Court.
- 2) The jurisprudence of Justice Ginsburg blended moral purpose with precision and technical mastery of the law. Justice Ginsburg’s successful advocacy for gender equality significantly changed the law as it affects women, including the landmark decision of *Reed v. Reed*, 404 U.S. 71 (1971), the first case to hold that discrimination on the basis of sex violated the equal protection clause of the Fourteenth Amendment.
- 3) Justice Ginsburg was a champion for gender justice, abortion rights, voting rights, the rights of immigrants, and the rights of LGBTQ+ individuals. Justice Ginsburg steadfastly protected the rights of African Americans, women, immigrants, gays and lesbians, persons accused of crimes, political dissidents, and other groups in our society whose rights and interests are too often disregarded by a hostile or indifferent majority. She was devoted to the preservation of a fair electoral system, whether the issue was campaign finance reform, gerrymandered legislative districts, or expanding and preserving voting rights.
- 4) Her oral dissent in *Ledbetter v. Goodyear Tire & Rubber Co., Inc.*, 550 U.S.618 (2007) pushed the United States Congress to enact, and President Barack Hussein Obama to sign, equal pay legislation in 2009, by rejecting a pay discrimination case on a technicality. She defended women’s reproductive freedom in several cases and supported gay marriage. In other cases, Justice Ginsburg defended affirmative action against a legal onslaught, and poignantly noted in interviews that she and many other women had benefited from the practice.
- 5) Justice Ginsburg died on September 18, 2020, at 87 years of age after a long battle with cancer, and became the first woman and the first Jewish person to lie in state in 168 years and only the second United States Supreme Court Justice to lie in state.
- 6) The nation and our state are deeply indebted to Justice Ruth Bader Ginsburg, a truly distinguished American.

**FISCAL EFFECT:** None

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Lawyers Club of San Diego  
Orange County Women Lawyers Association  
Women Lawyers of Sacramento

**Opposition**

None on file

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800



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A California bar association

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April 21, 2021

The Honorable Assemblymember Ken Cooley  
California State Assembly  
Chair of Assembly Rules Committee  
P.O. Box 942849  
Sacramento, CA 94249-0008

**Subject: Support Letter for SCR 21 (Rubio): Ruth Bader Ginsburg Day**

Dear Assemblymember Cooley,

On behalf of Lawyers Club of San Diego, we are in strong support of Senate Concurrent Resolution 21.

SCR 21 recognizes March 15, 2021, as Ruth Bader Ginsburg Day and encourages all Californians to honor the life and legacy of Supreme Court Justice Ruth Bader Ginsburg on her birthday. Justice Ginsburg was a truly distinguished American and one of the most notable and influential Justices to have served on the Supreme Court of the United States.

Justice Ginsburg was a pioneer, feminist, advocate, and jurist, whose contributions to equality for all benefit all Californians. Through litigation, community outreach, advocacy, and public education, Justice Ginsburg empowered poor women, women of color, and immigrant women, who have been subject to gender bias and who faced pervasive barriers to equality. Justice Ginsburg was a champion for gender justice, voting rights, the rights of immigrants, and the rights of LGBTQ+ individuals.

Recognizing Ruth Bader Ginsburg Day will benefit all Californians, honor her legacy, and recognize the impact of Justice Ginsburg's accomplishments and devotion to the amelioration of the United States.

For these reasons, Lawyers Club of San Diego is proud to support this important resolution and we thank you for your support.

Sincerely,

Yahairah Aristy  
President



**Orange County Women  
Lawyers Association  
(OCWLA)**  
P.O. Box 6130  
Newport Beach, California  
92658  
Phone: (949) 440-6700 x259  
Email: [info@ocwla.org](mailto:info@ocwla.org)  
Website: [www.ocwla.org](http://www.ocwla.org)

*Executive Director*  
Kaitly Van Amersfort

April 19, 2021

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The Honorable Assemblymember Ken Cooley  
California State Assembly  
Chair of Assembly Rules Committee  
P.O. Box 942849  
Sacramento, CA 94249-0008

**Subject: Support Letter for SCR 21 (Rubio): Ruth Bader Ginsburg Day**

Dear Assemblymember Cooley,

On behalf of the Orange County Women Lawyers Association, we are in strong support of Senate Concurrent Resolution 21.

SCR 21 recognizes March 15, 2021, as Ruth Bader Ginsburg Day and encourages all Californians to honor the life and legacy of Supreme Court Justice Ruth Bader Ginsburg on her birthday. Justice Ginsburg was a truly distinguished American and one of the most notable and influential Justices to have served on the Supreme Court of the United States.

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Recognizing Ruth Bader Ginsburg Day will benefit all Californians, honor her legacy, and recognize the impact of Justice Ginsburg's accomplishments and devotion to the amelioration of the United States.

For these reasons, Orange County Women Lawyers Association is proud to support this important resolution and we thank you for your support.

Very truly yours,

Kelly Galligan Dunn  
2021 OCWLA President



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April 26, 2021

The Honorable Assemblymember Ken Cooley  
California State Assembly  
Chair of Assembly Rules Committee  
P.O. Box 942849  
Sacramento, CA 94249-0008

#### **Subject: Support Letter for SCR 21 (Rubio): Ruth Bader Ginsburg Day**

Dear Assembly member Cooley,

On behalf of Women Lawyers of Sacramento, we are in strong support of Senate Concurrent Resolution 21.

SCR 21 recognizes March 15, 2021, as Ruth Bader Ginsburg Day and encourages all Californians to honor the life and legacy of Supreme Court Justice Ruth Bader Ginsburg on her birthday. Justice Ginsburg was a truly distinguished American and one of the most notable and influential Justices to have served on the Supreme Court of the United States. Justice Ginsburg was a pioneer, feminist, advocate, and jurist, whose contributions to equality for all benefit all Californians. Through litigation, community outreach, advocacy, and public education, Justice Ginsburg empowered poor women, women of color, and immigrant women, who have been subject to gender bias and who faced pervasive barriers to equality. Justice Ginsburg was a champion for gender justice, voting rights, the rights of immigrants, and the rights of LGBTQ+ individuals.

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Maralee Eriksen, Past President Liaison, Hon. Elena Duarte, Judicial Liaison

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Recognizing Ruth Bader Ginsburg Day will benefit all Californians, honor her legacy, and recognize the impact of Justice Ginsburg's accomplishments and devotion to the amelioration of the United States.

For these reasons, Women Lawyers of Sacramento is proud to support this important resolution and we thank you for your support.

Sincerely,



Kelly Babineau  
President

**2021 WLS BOARD:** Kelly Babineau, President, Katherine Underwood, Vice President, Lauren Jones, Secretary, Jackie Suyeres Treasurer, Vanessa Raven, Chair, Career Advancement and Retention, Lauren Bakke and Phanysha Gaddis, Vice Chairs, Career Advancement and Retention, Nicole Low and Blair Swadley, Chairs, Development, Kendall Fisher and Arian Van Alstine, Vice Chairs, Development, Allison Callaghan and Tara Rojas, Chairs, Grants and Awards, Keeley Nicholson and Michelle Shaffie, Vice Chairs, Grants and Awards, Alana Lungren, Chair, Judicial & Other Appointments, Miranda LeKander, and Carissa Bouwer, Vice Chairs, Judicial & Other Appointments, Cecilia Martin, Chair, Legislation and Bar Delegation, Lissa Oshei, Kristin Blocher, and Carmen-Nicole Cox, Vice Chairs, Legislation and Bar Delegations, Aparna Agnihotri and Andrea Velasquez Chairs, Membership, Kristine Scribner and Taylor Whitten, Vice Chairs, Membership, Susana Solano, Chair, Programs, Kimberly Buchholz, Monica Espejo, Susannah Martin, Vice Chairs, Programs, Natalie Fujikawa and Kathryn Meola, Chairs, Publicity & Community Relations, Alexandra Smith, Vice Chair, Publicity & Community Relations  
Maralee Eriksen, Past President Liaison, Hon. Elena Duarte, Judicial Liaison

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AMENDED IN ASSEMBLY APRIL 22, 2021

AMENDED IN ASSEMBLY MARCH 16, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

## ASSEMBLY BILL

**No. 338**

**Introduced by Assembly Member Ramos**

**(Principal coauthors: Assembly Members Mathis and McCarty)**

(Principal coauthor: Senator Hertzberg)

**(Coauthors: Assembly Members Arambula, Carrillo, Cooper, Cristina Garcia, Eduardo Garcia, Lorena Gonzalez, Lee, Medina, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, and Ting)**

(Coauthors: Senators Allen and Limón)

January 28, 2021

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An act to add Section 14634 to, and to repeal Section 13082 of, the Government Code, relating to the State Capitol.

### LEGISLATIVE COUNSEL'S DIGEST

AB 338, as amended, Ramos. State Capitol grounds.

Existing law provides for various memorials and monuments on the grounds of the State Capitol. Existing law requires the Department of Finance, subject to the approval of the Capitol Building and Planning Commission, to acquire and do all acts necessary to erect and maintain a monument to Father Junípero Serra on the grounds of the State Capitol. Existing law requires the Department of General Services to maintain state buildings and grounds.

This bill would delete the requirement relating to the monument to Father Junípero Serra. The bill would ~~require the Legislature to be advised by~~ *authorize* tribal nations in the Sacramento, California, ~~region to plan~~ *region, in consultation with the Department of General Services,*

*to plan, construct, and maintain a monument to the California Native people of the Sacramento, California, region on the grounds of the State Capitol. The bill would ~~require the Department of General Services, subject to the approval of the Legislature, to acquire and do all acts necessary to erect the monument by July 1, 2022. The bill would require the department to maintain the monument.~~ require the tribal nations to submit the plan for the monument to the Joint Rules Committee for its review and approval. The bill would prohibit the tribal nations from beginning construction of the monument until the Joint Rules Committee approves and adopts the plan and the Joint Rules Committee and the Department of Finance determine that sufficient private funding is available to construct and maintain the monument. The bill would require the planning, construction, and maintenance of the monument to be funded exclusively through private funding from the tribal nations in the Sacramento, California, region.*

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 the greatest number of Native
- 4 Americans living in the United States, approximately 720,000
- 5 according to the 2010 United States Census. They are the first
- 6 population to inhabit California.
- 7 (b) The California Native American population consists of 109
- 8 tribes speaking up to 80 languages. They have fostered a rich and
- 9 diverse cultural history that includes a long tradition of music,
- 10 artisanship, and other contributions to California's history.
- 11 (c) Their history and contributions have been relatively ignored,
- 12 written with great discrepancies and false mythologies. One of the
- 13 greatest gaps between history and reality has been the retelling of
- 14 the mission period in Native American history and the role of
- 15 Franciscan friar Junípero Serra.
- 16 (d) Notwithstanding the false or incomplete narrative of the
- 17 benefit to California's Native American population during the
- 18 mission period, primary historical references and histories such as
- 19 "A Cross of Thorns: The Enslavement of California's Indians by

1 the Spanish Missions” by the late journalist and historian Elias  
2 Castillo tell a more accurate and complete account of the period.

3 (e) According to Castillo, the treatment of Native Americans  
4 was so horrific that, in 1530, the Spanish King Carlos I forbid  
5 enslavement in the New World and, seven years later, Pope Paul  
6 III issued an edict seeking to end the massacre and enslavement  
7 of Native Americans. Both the King’s order and the Pope’s edict  
8 were ignored.

9 (f) Enslavement of both adults and children, mutilation,  
10 genocide, and assault on women were all part of the mission period  
11 initiated and overseen by Father Serra.

12 (g) Therefore, it is critical that California address the incomplete  
13 telling of the history and contributions of Native Americans in this  
14 state and that the devastating impact of the mission period, and  
15 Father Serra’s role in that devastation, be recognized and  
16 acknowledged.

17 SEC. 2. Section 13082 of the Government Code is repealed.

18 ~~SEC. 3. Section 14634 is added to the Government Code, to~~  
19 ~~read:~~

20 ~~14634. (a) The Legislature shall be advised by tribal nations~~  
21 ~~in the Sacramento, California, region to plan a monument to the~~  
22 ~~California Native people of the Sacramento, California, region on~~  
23 ~~the grounds of the State Capitol. Subject to the approval of the~~  
24 ~~Legislature, the Department of General Services shall acquire and~~  
25 ~~do all acts necessary to erect the monument on the grounds of the~~  
26 ~~State Capitol by July 1, 2022.~~

27 ~~(b) The Department of General Services shall maintain the~~  
28 ~~monument.~~

29 *SEC. 3. Section 14634 is added to the Government Code, to*  
30 *read:*

31 *14634. (a) Tribal nations in the Sacramento, California,*  
32 *region, in consultation with the Department of General Services,*  
33 *may plan, construct, and maintain a monument to the California*  
34 *Native people of the Sacramento, California, region on the grounds*  
35 *of the State Capitol in accordance with this section.*

36 *(b) The Department of General Services, in consultation with*  
37 *tribal nations in the Sacramento, California, region, shall do all*  
38 *of the following:*

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

1 (2) Ensure compliance with the federal Americans with  
2 Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and other  
3 safety concerns.

4 (3) Review and approve any documents prepared pursuant to  
5 the California Environmental Quality Act (Division 13  
6 (commencing with Section 21000) of the Public Resources Code)  
7 for the work on the grounds of the State Capitol.

8 (4) Review final construction documents to ensure that the  
9 documents comply with all applicable laws.

10 (5) Prepare the right-of-entry permit outlining the final area of  
11 work, final construction documents, construction plans, the  
12 contractor hired to perform the work, insurance, bonding,  
13 provisions for damage to state property, and inspection  
14 requirements.

15 (6) Prepare a maintenance agreement outlining the  
16 responsibility of tribal nations in the Sacramento, California,  
17 region for the long-term maintenance of the monument due to  
18 aging, vandalism, or relocation.

19 (7) Inspect all construction performed pursuant to this section  
20 by the contractor selected by the tribal nations in the Sacramento,  
21 California, region pursuant to this section.

22 (c) If the tribal nations in the Sacramento, California, region  
23 undertake responsibility for a monument pursuant to this section,  
24 they shall submit a plan for the monument to the Joint Rules  
25 Committee for its review and approval. The tribal nations shall  
26 not begin construction of the monument until both of the following  
27 have occurred:

28 (1) The Joint Rules Committee has approved and adopted the  
29 plan for the monument.

30 (2) The Joint Rules Committee and the Department of Finance  
31 have determined that sufficient private funding is available to  
32 construct and maintain the monument.

33 (d) The planning, construction, and maintenance of the  
34 monument shall be funded exclusively through private funding  
35 from the tribal nations in the Sacramento, California, region.

O

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON RULES  
Ken Cooley, Chair  
AB 338 (Ramos) – As Amended April 22, 2021

**SUBJECT:** State Capitol grounds

**SUMMARY:** Authorizes the construction and maintenance of a monument to the California Native people of the Sacramento, California, region on the grounds of the State Capitol. Specifically, **this bill:**

- 1) Deletes the requirement that a monument to Father Junipero Serra be erected and maintained on the grounds of the State Capitol.
- 2) Requires the Department of General Services (DGS) in consultation with tribal nations in the Sacramento, California, region, to be responsible for the planning, construction, and maintenance of a monument to the California Native people of the Sacramento, California, region on the grounds of the State Capitol.
- 3) Requires the planning, construction, and maintenance of the monument to be funded exclusively through private funding from the tribal nations in the Sacramento, California, region.
- 4) Prohibits construction of the monument until the Joint Committee on Rules has approved and adopted the plan for the monument; and, the Joint Committee on Rules and the Department of Finance (DOF) have determined that sufficient private funding is available to construct and maintain the monument.
- 5) Makes various findings and declarations about the California Native American population, their history, and their contributions in this state.

**EXISTING LAW:**

- 1) Requires DOF, subject to the approval of the Capitol Building and Planning Commission, to acquire and do all acts necessary to erect and maintain a monument to Father Junipero Serra on the grounds of the State Capitol.
- 2) Provides that all the duties, powers, purposes, responsibilities, and jurisdiction vested in the Capitol Building and Planning Commission were transferred to DGS.
- 3) Requires DGS to oversee the buildings and grounds of the state, including the historic State Capitol and the State Capitol Building Annex.
- 4) Requires the Joint Committee on Rules to approve and adopt plans for memorials in the State Capitol Park and statues in the State Capitol Building Annex.
- 5) Defines “Capitol Park” as the area lying between 9th Street on the west, 15th Street on the east, N Street on the south, and L Street on the north.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) Purpose of the bill: In support of AB 338, the author states:

For over 50 years the monument to Junipero Serra has stood on the grounds of our State Capitol, serving as a constant reminder for area native people of the atrocities inflicted upon their ancestors during the Spanish colonization period. At the same time, no formal recognition of these native peoples has existed to recognize their loss, their contributions, or their history on these lands. It is long overdue that we as a state right this wrong and AB 338 will send a clear message that California's values have in fact changed since the days of Serra's reign.

- 2) Background on Capitol Park: Capitol Park is widely known as one of the most beautiful parks in the United States, with over 40,000 trees, shrubs, and flowers. Capitol Park stands as one of the finest collections of plant life in the country. Capitol Park is also significant for the many memorials present in the park, which recognize groups and individuals who have contributed to California's history.
- 3) Father Junipero Serra Monument: The monument to Father Junipero Serra was erected in 1967 after being authorized by AB 1124 (Chapter 370, Statutes of 1965). The monument was a life-sized statue of Father Serra and had a map of California's 21 missions at its base. The monument was vandalized and torn down by protestors on the evening of July 4, 2020. Statues of Father Serra were also torn down in San Francisco and Los Angeles around the same time, as his legacy has come under increased scrutiny.
- 4) Location in Capitol Park: AB 338 does not specify where the monument would be placed in Capitol Park. With the ongoing State Capitol Annex Project, the monument will need to be placed outside of the footprint of the new building and in a location that minimizes impact to the existing plant life. The Father Junipero Serra Statue was located in Capitol Park between 12th and 13th Streets, near L Street and the Pioneer Camellia Grove. The location will require final approval from DGS and the Joint Committee on Rules.
- 5) Arguments in Support: Various Native American tribes strongly support AB 338 as a "long overdue recognition of the region's Native American communities." They believe that a monument will help tell the story of California Native American tribes and their rich history, which has often been misrepresented or never told.
- 6) Arguments in Opposition: The Pacific Justice Institute-Center for Public Policy (PJI-CPP) has an oppose unless amended position and opposes Section 2 of AB 338 which repeals the requirement that the Father Junipero Serra monument be on the grounds of the State Capitol. While PJI-CCP supports a monument to the California Native people of the Sacramento, California, region, they argue that the "provision to tear out the law written to erect and maintain a monument in honor of Fr. Serra is nothing less than the validation and codification of anti-Christian mob violence."

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Buena Vista Rancheria of Me-Wuk Indians

California Tribal Business Alliance  
Chicken Ranch Rancheria of Me-Wuk Indians of California  
Ione Band of Miwok Indians  
Paskenta Band of Nomlaki Indians  
Santa Ynez Band of Chumash Indians  
Shingle Springs Band of Miwok Indians  
Tuolumne Band of Me-Wuk Indians  
Wilton Rancheria  
Yocha Dehe Wintun Nation

**Opposition**

Pacific Justice Institute-Center for Public Policy (Oppose unless amended)

**Analysis Prepared by:** Michael Erke / RLS. / (916) 319-2800





February 23, 2021

Assembly member James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

**RE: SUPPORT for Assembly Bill 338**

On behalf of Buena Vista Rancheria of Me-Wuk Indians, I write today to express my strong support for Assembly Bill 338.

Assembly Bill 338 will remove the statutory requirement for a monument to Junipero Serra be erected and maintained on the State Capitol grounds and will require that this statue, which has already been removed, be replaced by a monument created with the input of local Tribal Nations.

For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on California's Native American people and their communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would seem an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that. Instead, with the passage of AB 338, the State of California will be able to seize this opportunity to erect a monument that effectively and meaningfully recognizes the Native American tribes of California that, prior to the work of Junipero Serra and other Spanish missionaries, lived for thousands of years on what is now the State Capitol grounds in Sacramento. We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue.

Respectfully,

Rhonda Pope Flores  
Chairwoman,  
Buena Vista Rancheria of Me-Wuk Indians

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Sacramento, CA 95811  
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February 26, 2021

The Honorable James Ramos  
Assemblymember, 40<sup>th</sup> Assembly District  
2176 State Capitol  
Sacramento, CA 95814

Assemblymember Ramos:

The California Tribal Business Alliance supports your AB 338, a measure that would authorize the placement of two tributes to California's Native peoples in and on the grounds of California's State Capitol.

As the first and only California Native American serving in the California State Legislature, we recognize and applaud your efforts to educate your colleagues and all people, in general, about California Native Americans. The significance of your efforts cannot be understated for much of the history of California's first peoples that is taught in schools, captured in monuments, or shared in the public generally, doesn't necessarily align with the histories or stories that have been handed down through the generations from tribal elders. Gratefully, and rightfully, the trend seems to be changing, thanks to the words and actions of prominent leaders like Governor Newsom, California Supreme Court Justice Tani Cantil-Sakauye, and yourself, among others.

Also, two other recent actions have occurred. California's State Capitol is undergoing a massive overhaul pursuant to the State Capitol Building Annex Act of 2016. The statutorily mandated monument to Junipero Serra that stood on the grounds of the State Capitol since the late 1960s was removed by racial justice protestors critical of Serra's role in the slavery and genocide of Native peoples.

California's State Capitol and its grounds are replete with displays and memorials of California's rich history. Inside the State Capitol are portraits of Governors, paintings of the state's natural wonders, display cases honoring the state's 58 counties, for example. If you take a stroll in Capitol Park, you'll see memorials honoring fallen heroes, first responders and even trees from each region of the state.

Given the timing of the Capitol construction project, the desire to incorporate symbolic treasures into the project, the removal from the Capitol grounds of a statue evoking harms inflicted on Native peoples, it seems befitting to take a positive approach and incorporate a mural honoring Native Americans in California in one of the main hearing rooms of the State Capitol and to place a monument to the Native people of the Sacramento, California, region on the grounds of the State Capitol located in Sacramento County, California.

Respectfully,

Thomas Torte  
Chairman



February 11, 2021

Assembly Member James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

RE: SUPPORT for Assembly Bill 338

On behalf of Chicken Ranch Rancheria of Me-Wuk Indians of California, I write today to express my strong support for Assembly Bill 338.

Assembly Bill 338 will remove the statutory requirement for a monument to Junipero Serra be erected and maintained on the State Capitol grounds and will require that this statue, which has already been removed, be replaced by a monument created with the input of local Tribal Nations.

For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on California's Native American people and their communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would seem an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that. Instead, with the passage of AB 338, the State of California will be able to seize this opportunity to erect a monument that effectively and meaningfully recognizes the Native American tribes of California that, prior to the work of Junipero Serra and other Spanish missionaries, lived for thousands of years on what is now the State Capitol grounds in Sacramento. We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue.

Chicken Ranch Rancheria of Me-Wuk Indians of California is a federally recognized Indian tribe located in the foothills of the Sierra Nevada Mountains in Tuolumne County, California. Although ancestors of the current Tribal members have occupied lands in the area since long before the arrival of Europeans in North America, the Tribe's original reservation, as established on October 24, 1908, consisted of roughly 40 acres below the town of Jamestown.



In 1958, the U.S. Congress passed the California Rancheria Act which terminated the federally recognized status of 41 rancherias within the state, including that of Chicken Ranch Rancheria. The goal of this act was to eliminate the many small reservations and promote assimilation into the surrounding community. This act was officially enforced against Chicken Ranch Rancheria in 1961 when their tribal status was terminated. At that time, the trust status of rancheria lands was ended and the lands were distributed to the adult residents.

Prior to termination, most Tribal Members lived in substandard housing with little or no infrastructure. Despite requirements of the Rancheria Act for the Department of the Interior to provide these facilities, they did not do so. As soon as the trust status of the Rancheria land was terminated, Tribal Member homes became subject to county planning, zoning, and building laws. Subsequently, county officials almost immediately issued citations to Tribal Members whose homes and parcels failed to meet required standards. As a result, many Tribal Members were prohibited from living in their homes and few had enough money to bring their homes into compliance. Most were forced to sell their property, essentially eliminating Tribal ownership of the vast majority of the original Rancheria by the late 1960's.

In 1979, 17 rancherias united to file a class action suit to restore their reservation status (*Hardwick v. United States*, Case No. 5:79-cv-01710-JF), asserting that the Trust relationship had been illegally terminated. The plaintiffs requested that the Secretary of the Interior "un-terminate" the status of each rancheria. In 1983, the plaintiffs prevailed. The 17 victorious rancherias include the Chicken Ranch Rancheria of Me-Muk Indians of California and various other Tribes within the state including Me-Wuk, Pomos, Maidus, and Picayunes.

In 1985, following the *Hardwick* judgment, Chicken Ranch Rancheria formally regained their federally recognized status. Unfortunately, in the 24 years between termination and re-establishment of the Tribe, only one Tribal Member, Inez Mathiesen, had her remaining 3-acre parcel – roughly 7% of the original reservation - taken back in to trust.

The Rancheria Act is primarily responsible for a tremendous loss of much of the Tribe's culture, religion, ceremonies, language, and lands. As Tribal Members sold or lost their land and left the area, many of these traditions left with them. The Tribe is now actively working toward learning and regaining vital attributes of their culture, history, and language in hopes of restoring them within the Tribal community. Additionally, the Tribe is actively pursuing acquiring and restoring trust status to its ancestral lands in the area.

Since re-establishment in 1985, Chicken Ranch Rancheria Tribal membership has grown from a mere handful of members to roughly 40 Tribal members. During the same timeframe, their lands have grown from the 3-acre parcel owned by Inez Mathiesen to roughly 1500 acres of fee and trust land in their surrounding area.

Respectfully,



Lloyd Mathiesen  
Tribal Chairman



February 16, 2021

Assemblymember James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

**Re: SUPPORT for Assembly Bill 338**

On behalf of the Ione Band of Miwok Indians, I write today to express strong support for Assembly Bill 338.

The Ione Band of Miwok Indians is a federally recognized tribe indigenous to the greater Sacramento region. Today, the Tribe's sovereign land base and governmental center is in Amador County, California, a short drive to the State Capital.

Assembly Bill 338 is a critical step toward recognition of a more honest recitation of the history of California. Our people have occupied the lands of the state since time immemorial. Despite decades of mistreatment and marginalization, our people have persevered. As a tribal member and former California tribal leader, you know this history better than most. Today, California's sovereign tribal governments are 109 strong, and share a common goal of educating the public about California's true history and the first peoples of these lands.

With the passage of AB 338, the State of California will take the extraordinary step of erecting a monument that effectively and meaningfully recognizes the California Indian tribes that have lived for thousands of years on what is now the State Capital grounds. Further, Assembly Bill 338 will remove the statutory requirement that a monument to Junipero Serra be erected and maintained on the State Capitol grounds. For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on our people and communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would be an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that.

We fully support the long overdue recognition of the region's tribal communities and commend you for your leadership on this issue.

Very truly yours,

Sara A. Dutschke  
Chairperson



April 23, 2021

Assemblymember James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

**RE: SUPPORT for Assembly Bill 338**

On behalf of the Paskenta Band of Nomlaki Indians, I write today to express my strong support for Assembly Bill 338.

Assembly Bill 338 will remove the statutory requirement for a monument to Junipero Serra be erected and maintained on the State Capitol grounds and will require that this statue, which has already been removed, be replaced by a monument created with the input of local Tribal Nations.

For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on California's Native American communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would seem an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that. Instead, with the passage of AB 338, the State of California will be able to seize this opportunity to erect a monument that effectively and meaningfully recognizes the Native American tribes that, prior to the work of Junipero Serra and other Spanish missionaries, lived for thousands of years on what is now the State Capitol grounds in Sacramento. We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue.

The Paskenta Band of Nomlaki Indians owns Rolling Hills Casino & Resort, which includes the Casino, three restaurants, two conference centers, a Brewery & Distillery, RV Park and Travel Center, The Equestrian Center at Rolling Hills and The Links at Rolling Hills Golf Course. They employ over 500 team members, most of whom work full time with health care benefits and 401k options. Each year, hundreds of thousands of guests visit Rolling Hills Casino, bringing with them tourist dollars that benefit the local economy. The Casino and the Paskenta Band of Nomlaki Indians are strong community partners supporting local programs through generous grants and sponsorships. The Paskenta Nomlaki Foundation donates hundreds of thousands of dollars to community organizations each year, with over \$9 million donated to benefit local health, safety and education programs.

Respectfully,

Andrew Alejandro  
Chairman  
Paskenta Band of Nomlaki Indians

Paskenta Band of Nomlaki Indians

P.O. Box 709 • Corning, CA 96021 • (530) 528-3538

# SANTA YNEZ BAND OF CHUMASH INDIANS

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## BUSINESS COMMITTEE

KENNETH KAHN, CHAIRMAN

MIKE LOPEZ, VICE-CHAIRMAN

MAXINE LITTLEJOHN, SECRETARY-TREASURER

RAUL ARMENTA, COMMITTEE MEMBER

GARY PACE, COMMITTEE MEMBER



April 23, 2021

The Honorable James Ramos  
State Capitol, Room 4162  
Sacramento, CA 95814

## **Re: AB 338 (as amended) – SUPPORT for Native American history and contributions**

Dear Assembly Member Ramos:

On behalf of the Santa Ynez Band of Chumash Indians, I write in support of AB 338. California Native American tribes have a rich history that has often been misrepresented or never told. This measure is a small step in telling their story.

The measure, as amended, allows for tribal nations, in consultation with the Department of General Services, to plan, construct and maintain a monument to the California Native people of the Sacramento, California, region on the grounds of the State Capitol. The bill would require the tribal nations to submit a plan for the monument to the Joint Rules Committee for review and approval.

Lastly, the measure calls for the statue of Father Junipero Serra to no longer be maintained by the Department of General Services. One of the main discrepancies of the abhorrent treatment of Native people during the Mission period has been the retelling of the role of Franciscan friar Junipero Serra.

For the reasons state above, the Santa Ynez Band of Chumash Indians thanks you for introducing AB 338 and expresses our support for the measure. Please do not hesitate to contact us if we can provide any additional information on this issue.

Sincerely,

Kenneth Kahn  
Chairman

Santa Ynez Band of Chumash Indians





**Shingle Springs Band of Miwok Indians  
Shingle Springs Rancheria (Verona Tract), California**

---

5281 Honpie Road • Placerville, CA 95667  
(530) 698-1400 • shinglespringsrancheria.com

February 17, 2021

Assemblymember James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

RE: SUPPORT for Assembly Bill 338


Dear Assemblyman Ramos:

On behalf of the Shingle Springs Band of Miwok Indians, I write today to express my strong support for Assembly Bill 338.

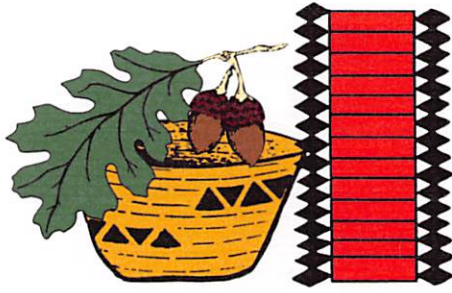
Assembly Bill 338 will remove the statutory requirement for a monument to be erected and maintained on the State Capitol grounds and will require that this statue, which has already been removed, be replaced by a monument created with the input of local Tribal Nations.

For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on California's Native American people and their communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would seem an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that. Instead, with the passage of AB 338, the State of California will be able to seize this opportunity to erect a monument that effectively and meaningfully recognizes the Native American tribes of California that, prior to the work of Junipero Serra and other Spanish missionaries, lived for thousands of years on what is now the State Capitol grounds in Sacramento. We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue.

Respectfully,

  
Regina Cuellar,  
Chairwoman





## TUOLUMNE ME-WUK TRIBAL COUNCIL

Post Office Box 699

TUOLUMNE, CALIFORNIA 95379

Telephone (209) 928-5300

Fax (209) 928-1677

February 18, 2021

Assembly member James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

### **RE: SUPPORT for Assembly Bill 338**

On behalf of Tuolumne Band of Me-Wuk Indians, I write today to express my strong support for Assembly Bill 338.

Assembly Bill 338 will remove the statutory requirement for a monument to Junipero Serra be erected and maintained on the State Capitol grounds and will require that this statue, which has already been removed, be replaced by a monument created with the input of local Tribal Nations.

For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on California's Native American people and their communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would seem an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that. Instead, with the passage of AB 338, the State of California will be able to seize this opportunity to erect a monument that effectively and meaningfully recognizes the Native American tribes of California that, prior to the work of Junipero Serra and other Spanish missionaries, lived for thousands of years on what is now the State Capitol grounds in Sacramento.

We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue.

Respectfully,

Andrea D. Reich  
Tribal Chairwoman

# Wilton Rancheria



9728 Kent Street, Elk Grove, CA 95624

February 17, 2021

Assemblymember James C. Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

## **RE: SUPPORT for Assembly Bill 338**

On behalf of Wilton Rancheria, I write today to express my strong support for Assembly Bill 338.

Wilton Rancheria is a federally recognized Tribe indigenous to the Sacramento Valley. Today, Wilton Rancheria maintains its governmental center in Elk Grove, CA and remains the only federally recognized Tribe in Sacramento County.

Assembly Bill 338 will remove the statutory requirement for a monument to Junipero Serra be erected and maintained on the State Capitol grounds and will require that this statue, which has already been removed, be replaced by a monument created with the input of local Tribal Nations.

For over 50 years the statue of Junipero Serra has stood on the grounds of the State Capitol as a painful reminder of the Spanish Mission era and its devastating impacts on California's Native American people and their communities. With the statue now having been toppled and removed during protests at the State Capitol over the summer of 2020, it would seem an unconscionable mistake to erect and maintain yet another statue honoring the leader of the Spanish Mission project in California. Unfortunately, without AB 338, current law will require exactly that. Instead, with the passage of AB 338, the State of California will be able to seize this opportunity to erect a monument that effectively and meaningfully recognizes the Native American tribes of California that, prior to the work of Junipero Serra and other Spanish missionaries, lived for thousands of years on what is now the State Capitol grounds in Sacramento. We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue.

Respectfully,

*Jesus Tarango*

Jesus Tarango  
Chairman  
Wilton Rancheria  
[jtarango@wiltonrancheria-nsn.gov](mailto:jtarango@wiltonrancheria-nsn.gov)



April 14, 2021

Tribal Council

**Anthony Roberts**  
*Chairman*

**James Kinter**  
*Secretary*

**Mia Durham**  
*Treasurer*

**Diamond Lomeli**  
*Member*

**Yvonne Perkins**  
*Member*

Assemblymember James Ramos  
State Capitol, Room 2176  
Sacramento, CA 95814

**RE: SUPPORT for Assembly Bill 338**

Dear Assemblymember Ramos:

On behalf of Yocha Dehe Wintun Nation, a federally recognized tribal government located in rural Yolo County about 45 miles northwest of Sacramento, I write in strong support of Assembly Bill 338.

AB 338 is long overdue, authorizing the removal of a monument to Junipero Serra, a statue that was built in 1967 at the direction of the California legislature, a statue that sits as testament to the enslavement and genocide of Native people through the California mission system of which Serra was its architect.

The Patwin have lived across the waterway now known as the Sacramento River, just a few miles away from where the California State Capitol now stands, since time immemorial. Patwin Villages dotted the banks of the bountiful river where our forebears hunted, fished, gathered plants, and raised families. This was all destroyed when Spanish explorers arrived, erecting Catholic missions throughout California. Junipero Serra was a religious leader during this Spanish Mission era, one of the darkest times in the history of Native peoples in California. There is no doubt about what happened within the walls of these missions. Native Americans were enslaved, forced to do hard labor, women were assaulted and forced into marriages, and children were taken from their parents. Genocide, erasure, and the worst of humanity was on display during that era but we continue to see this as a revered part of American history. For the past 50 years, our people, our children, have had to see the statue of Junipero Serra stand on the grounds of the State Capitol, a constant reminder of the pain our people faced. It is wrong.

In the summer of 2020, in the wake of the death of George Floyd at the hands of a Minnesota police officer, and with the consequent rise of nationwide protests against social injustice, this statue was toppled. The proposed legislation provides an opportunity to permanently eliminate this source of trauma and distress to Native people, by removing the state statutory requirement for a monument of Junipero Serra to be erected and maintained on the State Capitol grounds.

Yocha Dehe Wintun Nation

PO Box 18 Brooks, California 95606 p) 530.796.3400 f) 530.796.2143 www.yochadehe.org

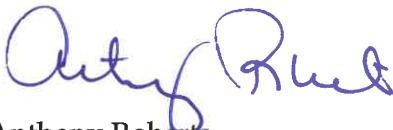
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Assemblymember James Ramos  
Support for AB 338  
April 14, 2021  
Page 2

We applaud the Legislature for the strides it has made in its effort to correct the egregious misrepresentation of Native people in this state's history. AB 338 is one part of this progress. The monument's removal is long overdue, and it should be replaced with a more appropriate remembrance of this time in history. AB 338 will require the input of local Tribal Nations to create a monument, and Yocha Dehe is prepared to offer its own input, to ensure this new monument honors the people who once lived and thrived in this region.

We fully support this long overdue recognition of the region's Native American communities and commend you for your leadership on this issue. If you seek further information or have any specific questions, please contact our lobbyists Kevin Sloat or Carolyn Veal-Hunter with Sloat Higgins Jensen & Associates at 916.446.3007.

Wile bo,



Anthony Roberts  
Tribal Chairman

cc: Sloat, Higgins, Jensen & Associates

# PACIFIC JUSTICE INSTITUTE – Center for Public Policy

P.O. Box 276600  
Sacramento, CA 95827.  
telephone: (916) 857-6900

April 27, 2021

Ken Cooley, Chair  
Jordan Cunningham, Vice Chair  
Steve Bennett, Member  
Heath Flora, Member  
Mike Gipson, Member  
Alex Lee, Member  
Brian Maienschein, Member  
Devon Mathis, Member  
James Ramos, Member  
Blanco Rubio, Member  
Carlos Villapudua, Member  
Suzette Martinez Valladares, Member

COMMITTEE ON RULES  
CALIFORNIA ASSEMBLY  
P.O. Box 942849, Room 3016  
Sacramento, CA 95814

## **Re: AB 338 – Oppose Until Amended**

Dear Chairman Cooley and Members of the Committee,

The Committee On Rules has received Assembly Bill 338 for deliberation. AB 338 contains two parts, as follows: (1) erection of a monument to the “California Native people of the Sacramento, California, region,” and, (2) the repeal of the statute which provides for the erection and maintenance of a monument to Father Junípero Serra on the grounds of the State Capitol.<sup>1</sup> For the reasons explained more fully below, Pacific Justice Institute – Center for Public Policy<sup>2</sup> supports the former and voices its opposition to the latter.

On July 4, 2020, a militant-Marxist-mob tore down the monument of Fr. Serra. The statue stood in the shadow of the Capitol since 1967. Not a single officer with the California Highway Patrol stepped up to prevent this felony<sup>3</sup> committed in their presence.<sup>4</sup> Now California lawmakers seek to stand with their violent comrades to vilify this man of peace known as the Apostle of California.

Sadly, this is not the first time that Roman Catholics have been the subject of Sacramento-based animosity -- only the most recent. In 1879 the State’s Constitution added its infamous version of the anti-Catholic Blaine Amendment.<sup>5</sup> “The Blaine Amendment was ‘born of bigotry’ and ‘arose at a time of pervasive hostility to the Catholic Church and to Catholics in general’; many of its state counterparts have a similarly ‘shameful pedigree.’”<sup>6</sup> The pervasive anti-Catholic hostility should have died in the late Nineteenth Century. It has not. Alas, this bigotry is still memorialized in the State’s current

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<sup>1</sup> Cal. Gov. Code § 13082

<sup>2</sup> This corporation is organized pursuant to section 501(c)(4) of the Internal Revenue Code.

<sup>3</sup> Cal. Penal Code § 594.

<sup>4</sup> It remains unclear whether the CHP was ordered to stand down. A public inquiry would be appropriate.

<sup>5</sup> Cal. Const., Art. IV, § 30; Art. IX, § 8 (1879).

<sup>6</sup> *Espinoza v. Mont. Dep't of Revenue*, 140 S. Ct. 2246, 2259 (2020)(quoting *Mitchell v. Helms*, 530 U.S. 793, 828 (2000)).



Constitution,<sup>7</sup> has found its voice in the introduction of several bills this session taking aim at Catholics and their institutions,<sup>8</sup> and was vividly and violently on display during the organized defacement and destruction of religious monuments in a red-inspired Kristallnacht across California during the summer of 2020.

The evening of terror in Sacramento stands as illustrative of the electrified atmosphere of violence that occurred in the State. On the Capitol grounds, the depiction of Fr. Serra showed him holding a cross – a preeminent symbol of redemption. Before toppling the statue, progressive agitators used an improvised torch to shoot flames on the cross and into his face.<sup>9</sup> Over the sound of the mob can be heard a voice shouting, “F\_\_\_ that thing! F\_\_\_ that thing up!”<sup>10</sup> As the monument was pulled to the ground, radicals cheered and proceeded to stomp it with their feet and pound it with sledgehammers.<sup>11</sup> The attack on a portrayal of a priest holding a cross sits as emblematic of leftist objectives of demonizing people of faith and destroying their institutions.<sup>12</sup> It is not mere oversight that missing from last year’s protests and riots was any redemptive message. For revolutionaries, cutting off avenues of reconciliation and forgiveness is an article of faith. Further, it is not by coincidence that the followers of this authoritarian ideology chose Independence Day for their attack in order to communicate their rejection of the liberties, history, and institutions which sustain this country. George Orwell explained the illiberal mindset with this line, “If you want a picture of the future, imagine stamping on a human face – forever.”<sup>13</sup>

The provision to tear out the law written to erect and maintain a monument in honor of Fr. Serra is nothing less than the validation and codification of anti-Christian mob violence. Californians who see the rubble where statues of the revered once stood and look at cities on fire, wonder if what they are watching is a foreshadowing of their republic going up in flames. Then as lawmakers carry or vote for bills that enable radical behavior and ideology, on law abiding citizens there falls a palpable fear that the violent are being ushered into power. When that happens, the faces that these revolutionaries will stomp will not be brass or stone, but flesh and blood.

Therefore, unless amended to strike the repeal of Cal. Gov. Code § 13082, Pacific Justice Institute – Center for Public Policy cannot support the bill unless amended. I thank you for your deliberation on this matter and for your service to the community.

Very truly yours,



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<sup>7</sup> Cal. Const., Art. IX, § 8; Art. XVI, § 9.

<sup>8</sup> In addition to AB 338, other bills take aim generally at theologically conservative Christians, though with faithful Catholics bearing a larger share of the animus. These include: AB 705 (requiring religious hospitals to accommodate abortionists and physicians that assist in euthanizing distraught patients); AB 797 (striking religious exemptions for infertility treatment – hence a monastery or convent would be required to provide insurance coverage though the monks and nuns serving there have taken a vow of celibacy); Senate Bill 379 (preventing the University of California or its trainees from contracting with hospitals that will not allow for abortion or euthanasia); SB 380 (imposes civil liability against a physician that uses “undue influence” to discourage suicide, e.g., a doctor who tells a patient, “I fear for your eternal soul if you commit suicide.”).

<sup>9</sup> Black Zebra Productions © <https://www.youtube.com/watch?v=Vnry4ola06M>

<sup>10</sup> Id.

<sup>11</sup> Christie, Grazie Pozo. “Angry mob attack on St. Junipero Serra statue exposes vandals’ ignorance: St. Junipero’s life and legacy lost to young liberals.” *The Washington Times*, 20 Jul. 2020

<sup>12</sup> Ironically the amended bill proposes a maintenance agreement in the event of vandalism of a monument erected to honor native peoples of Sacramento. Section 14634(a)(6). However, the author has not called out by name for condemnation the individuals and groups that vandalized the statue to Fr. Serra. The author’s silence delivers a loud message of endorsement of Jacobin-inspired destruction of symbols he dislikes.

<sup>13</sup> Orwell, George. 1984 (p. 155). London: Secker and Warburg, 1949.

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