

CONCURRENCE IN SENATE AMENDMENTS

AB 1801 (Nazarian)

As Amended August 18, 2022

Majority vote

SUMMARY

This bill would add April 24, known as "Genocide Remembrance Day," to the list of state holidays. The bill would authorize community colleges and public schools to close on April 24, known as "Genocide Remembrance Day," as specified. The bill would authorize state employees to elect to take time off with pay in recognition of "Genocide Remembrance Day," as specified.

Senate Amendments

- 1) Add April 24, known as "Genocide Remembrance Day," to the list of state holidays, as defined.
- 2) Add "Genocide Remembrance Day" to the list of holidays that are excluded from designation as a judicial holiday.
- 3) Incorporate additional changes to Section 135 of the Code of Civil Procedure proposed by AB 2596 (Low) to be operative only if this bill and AB 2596 are enacted and this bill is enacted last.
- 4) Incorporate additional changes to Sections 45203, 79020, and 88203 of the Education Code proposed by AB 1655 ((Jones-Sawyer) to be operative only if this bill and AB 1655 are enacted and this bill is enacted last.
- 5) Incorporate additional changes to Sections 6700, 19853, and 19853.1 of the Government Code proposed by AB 1655 and AB 2596 to be operative only if this bill and AB 1655, AB 2596, or both are enacted and this bill is enacted last.
- 6) Make corresponding, conforming, and technical changes.
- 7) Add legislative findings and declarations.

COMMENTS*Background.*

Armenian Genocide. According to information provided by the author, "the systematic killing of millions of Armenians for the end goal of ending the Armenian civilization is one of the great tragedies of history that created generational trauma that is felt today."

Overall, the Genocide occurred between 1915 and 1922. At the start of the Genocide, two million Armenians resided in the Ottoman Empire, but by the end of it, only 400,000 Armenians remained. The widespread denial of the Genocide enhances the trauma. The author states that, "to this day, the successor state of the Ottoman Empire, the Republic of Turkey, denies the Genocide took place. Many national governments also deny its occurrence out of geopolitical considerations – namely, the consequences it would have on bilateral relations with Turkey."

It was not until 2019, that the U. S. House of Representatives passed a resolution recognizing the Genocide, and in 2021, President Biden issued a statement that recognized it for the first time. However, only 31 countries worldwide recognize the Genocide - and, therefore, the trauma that Armenians feel today.

With 205,000, Armenian-Americans living in California, this state holds the largest population Armenian-Americans out of any state in the United States.

Unpaid/Paid holidays. California law does not require a private employer to provide its employees with paid holidays, that it closes its business on any holiday, or that employees be given the day off for any particular holiday. If an employer closes its business on holidays and gives its employees time off from work with pay, that occurred pursuant to a policy or practice adopted by the employer, pursuant to the terms of a collective bargaining agreement, or pursuant to the terms of an employment agreement between the employer and employee, as there is nothing in law that requires such a practice.

At the local level, cities have the liberty to specify by charter, ordinance or resolution what paid holidays the city will provide to its city employees. Similarly, most state workers are bound by the memorandum of understanding that they have negotiated with the Governor.

For all other state employees, they are entitled to the following holidays: January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, Thanksgiving Day, the day after Thanksgiving, December 25, a personal holiday after six months of work, and every day appointed by the Governor for a public fast, thanksgiving, or holiday.

This bill adds April 24, known as "Genocide Remembrance Day," to the list of state holidays. Additionally, this bill authorizes state employees to elect to take time off with pay in recognition of "Genocide Remembrance Day," as specified, and authorizes community colleges and public schools to close on April 24, known as "Genocide Remembrance Day," as specified.

According to the Author

According to the author's office, "Genocide has been an unfortunate reality since the dawn of humanity, being perpetrated on every continent by and against every race. The act of systematically erasing another group is born out of hate, prejudice, and a lack of empathy. We can only resolve these fundamental human flaws through recognition, understanding, and awareness. Reflecting on these common human flaws is the point of this bill. This bill requires that we take a day as a state to reflect on previous and current acts of genocide, and, through this reflection, we can help prevent further atrocities. Additionally, this gives many with generational trauma recognition of that trauma and an opportunity to heal. As a state that has provided refuge to countless groups that have suffered through the atrocity of genocide, California is uniquely suited to establish April 24th as Genocide Remembrance Day."

Arguments in Support

According to the Jewish World Watch, "Genocide commemoration is more than a history lesson. It is an opportunity to expand understanding of the consequences of dangerous speech and how othering can pervade societies. It is a powerful tool to engage people across generations in discussions about human rights, the dynamics of atrocity crimes, how to prevent them, provide necessary opportunities for healing. As a state, we pride ourselves on our values and willingness to lead by example and our history of providing refuge for groups escaping genocide. By

establishing a state holiday that commemorates Genocides – both past and present – we are both giving space for groups to heal and sending a powerful signal."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee, "Unknown potentially significant General Fund cost pressures, likely in the millions of dollars, to create another negotiable paid holiday for eligible state workers. Unknown, potentially significant reimbursable mandate costs to the extent school districts need to adjust their calendars and summer work hours, resulting in local bargaining implications for their classified employees. This assumes school districts would need to adjust their school calendars and ensure minimum days of instruction. Staff notes that most school years conclude before June 19, however some schools go beyond June 19 for their regular school year. To address learning loss and other significant needs, these schools have increased summer programs. The associated costs are unknown."

VOTES:

ASM GOVERNMENTAL ORGANIZATION: 20-0-2

YES: Santiago, Aguiar-Curry, Berman, Choi, Bryan, Cooper, Megan Dahle, Daly, Davies, Gipson, Jones-Sawyer, Lackey, Low, Mathis, Quirk-Silva, Ramos, Robert Rivas, Blanca Rubio, Salas, Smith

ABS, ABST OR NV: Cooley, Eduardo Garcia

ASM HIGHER EDUCATION: 12-0-0

YES: Medina, Choi, Arambula, Bloom, Gabriel, Irwin, Kiley, Levine, Low, Santiago, Valladares, Akilah Weber

ASM APPROPRIATIONS: 12-0-4

YES: Holden, Bryan, Calderon, Carrillo, Mike Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Wilson

ABS, ABST OR NV: Bigelow, Megan Dahle, Davies, Fong

ASSEMBLY FLOOR: 75-0-3

YES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Cervantes, Chen, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wilson, Wood, Rendon

ABS, ABST OR NV: Berman, O'Donnell, Villapudua

SENATE FLOOR: 40-0-0

YES: Allen, Archuleta, Atkins, Bates, Becker, Borgeas, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hertzberg, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Melendez, Min, Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, Wilk

UPDATED

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