

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)

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