

Date of Hearing: March 22, 2017

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 491 (Muratsuchi) – As Introduced February 13, 2017

SUBJECT: California Civil Liberties Public Education Act

SUMMARY: Continuously appropriates \$1 million, in each of three years, to the State Librarian for support of the California Civil Liberties Public Education Act, which supports educational programs related to the Japanese American Internment during World War II. Specifically, **this bill:**

- 1) Continuously appropriates \$1 million for the fiscal years 2017–18, 2018–19, and 2019–20 to the State Librarian for the purposes of the California Civil Liberties Public Education Act.
- 2) Eliminates the requirement that the program receive funding contingent upon an appropriation in the Budget Act or other legislation.
- 3) Requires the State Librarian, subject to an appropriation for this purpose, to report to the Legislature by November 1, 2021, on the progress of the program and its review of other programs with similar goals that might be combined with this project in the future.

EXISTING LAW:

- 1) Establishes the California Civil Liberties Public Education Act, for the purpose of sponsoring public educational activities and development of educational materials to ensure that the events surrounding the exclusion, forced removal, and internment of citizens and permanent residents of Japanese ancestry are remembered, and so that the causes and circumstances of that and similar events is illuminated and understood. (EC section 13000)
- 2) Requires the State Librarian to allocate grants on a competitive basis and shall be provided for the general purpose of establishing a legacy of remembrance as part of a continuing process of recovery from World War II exclusion and detention and specifically to do one or both of the following:
 - a) educate the public regarding the history and the lessons of the World War II exclusion, removal, and detention of persons of Japanese ancestry through the development, coordination, and distribution of new educational materials and the development of curriculum materials to complement and augment resources currently available on this subject matter
 - b) develop videos, plays, presentations, speaker bureaus, and exhibitions for presentation to elementary, secondary, and community college audiences
- 3) Authorizes the State Librarian to contract with independent review panelists and establish an advisory panel to evaluate and make recommendations to the State Librarian based on grant applications.

- 4) States that applicants for grants may be nonprofit organizations, four-year colleges and universities, cultural institutions, arts organizations, community organizations, artists, writers, journalists, scholars, educators, units of government, and consortia composed of any of the above entities.
- 5) Requires the State Librarian to select as grant recipients applicants who meet specified criteria, including (limited list shown below):
 - a) experience, knowledge, and qualifications to conduct quality educational activities regarding the exclusion and detention of Japanese-Americans during World War II
 - b) projects which link the Japanese-American exclusion and detention experience with the experiences of other populations so that the cause and circumstances of this and similar violations of civil rights or acts of injustice may be illuminated and understood
 - c) projects designed to maximize long-term educational impact
 - d) projects include the variety of experiences regarding the exclusion and detention of Japanese-Americans and its impact before, during, and after, World War II including those Japanese-Americans who served in the military and those who were interned in Department of Justice camps
- 6) Encourages applicants for grants to conduct specified activities, including involve former detainees, those excluded from the military area, and their descendants in the projects, use a variety of media, include in the grant application scholarly inquiry related to a variety of experiences and impact of the exclusion and detention of persons of Japanese ancestry during World War II, as well as its relationship to the experience of other populations, and add relevant materials to or catalogue relevant materials in libraries and other repositories
- 7) Requires, by January 1, 2001, the State Librarian to report to the Governor and the appropriate fiscal and policy committees of each house of the Legislature on the types of grants awarded and the accomplishments of the program.
- 8) States that funding for this program is subject to an appropriation for this purpose in the annual Budget Act or other act.
- 9) Requires, subject to an appropriation for this purpose in the annual Budget Act or other measure, the State Librarian to review and identify programs with similar goals that may be combined with this project in the future.
- 10) Requires, subject to an appropriation in the annual Budget Act or other measure, the State Librarian to report to the Legislature by November 1, 2004, on the progress of the program and on the results of the above review.
- 11) States the intent of the Legislature to provide accurate instructional materials to schools on specified topics, including the internment in the United States of persons of Japanese origin and its impact on Japanese American citizens, the Armenian genocide, the World War II internment, relocation, and restriction in the United States of persons of Italian origin and its impact on the Italian American community.

- 12) States that the Legislature finds that films and video recordings giving a historically accurate depiction of the internment in the United States of persons of Japanese origin during World War II, the Armenian genocide, and the World War II internment, relocation, and restriction of persons of Italian origin should be made in order that pupils will recognize these events for the horror they represented, and encourages teachers to use these films and video recordings as a resource in teaching students about these three important historical events.
- 13) Requires that films or video recordings on these topics be submitted to the Curriculum Development and Supplemental Materials Commission (now the Instructional Quality Commission) for review, and may be made available to schools only upon adoption by the Curriculum Development and Supplemental Materials Commission.
- 14) Requires the California Department of Education to make available the films or video recordings produced pursuant to this article to schools.

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “AB 491 extends funding for the California Civil Liberties Public Education Program through the continuous appropriation of \$1,000,000 from the General Fund to the State Librarian for three consecutive fiscal years. The California Civil Liberties Public Education Program was established in 1998 with the passage of AB 1915 for the purpose of sponsoring public educational activities and development of educational materials to ensure that the events surrounding the exclusion, forced removal, and internment of civilians and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstance of this and similar events may be illuminated and understood.

Given the nation’s current political climate, the continuation of the California Civil Liberties Public Education Program is more important than ever. The program was established to ensure that the mistakes of the past are never forgotten or repeated and it is important that this valuable program is maintained and continues to thrive.”

Program funding history. The California Civil Liberties Public Education Program was established in 1998 and received \$1 million in annual funding until 2011. According to the State Library, 366 grants were awarded, totaling over \$8.8 million.

The 2016-17 Budget Act included one-time funding of \$1 million for the program. The State Library is now accepting applications for this funding, and grants are scheduled to be awarded in April of this year.

Continuous appropriation. Current law states that funding for the program is subject to an appropriation for this purpose in the annual Budget Act or other act. This bill proposes to provide funding for this program through a continuous appropriation. Funding for education programs is done through Budget Act and trailer bill appropriation, so this represents a departure from current practice. ***Staff recommends that the bill be amended*** to instead appropriate \$3 million for the purpose of this program, to be spent over the course of the next three fiscal years.

Prior legislation. AB 1598 (Ting, Budget Act of 2016) appropriated \$1 million from the General Fund for the purpose of the California Civil Liberties Public Education Program and authorized up to 5% of the funds to be used for administration by the California State Library.

AB 1850 (E. Garcia), Chapter 69, Statutes of 2015 replaces the term “resident aliens” with “permanent residents” in provisions of the Education Code relative to the internment of persons of Japanese ancestry during World War II.

AB 1754 (Committee on Budget), Chapter 227, Statutes of 2003 made funding for the California Civil Liberties Public Education Program contingent upon funding in the budget act.

AB 1914 (Nakano), Chapter 132, Statutes of 2000 expressed the intent of the Legislature to provide funding for the program through the 2002-03 fiscal year, required, subject to an appropriation, the State Librarian to review and identify programs with similar goals that may be combined with the project in the future, and to report to the Legislature, by November 1, 2004.

AB 1915 (Honda), Chapter 570, Statutes of 1998 established the California Civil Liberties Public Education Program, for the purpose of for the purpose of sponsoring public educational activities and development of educational materials to ensure that the events surrounding the exclusion, forced removal, and internment of citizens and permanent residents of Japanese ancestry are remembered, and so that the causes and circumstances of that and similar events is illuminated and understood.

REGISTERED SUPPORT / OPPOSITION:

Support

Japanese American Citizens League, Northern California-Western Nevada-Pacific District
Japanese Community Youth Council of San Francisco
National Japanese American Historical Society, Inc.
Tanforan Assembly Center Memorial Committee
Tule Lake Committee
Several individuals

Opposition

California Right to Life Committee, Inc.

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