
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 2598
Author: Ting
Version: February 19, 2016
Urgency: No
Consultant: Olgalilia Ramirez

Hearing Date: June 8, 2016
Fiscal: No

Subject: Lunar New Year's Day

NOTE: This bill has been referred to the Committees on Education and Governmental Organizations. A "do pass" motion should include referral to the Committee on Governmental Organizations.

SUMMARY

This bill designates the date corresponding with the start of the lunar calendar of each year as Lunar New Year's Day, and encourages public schools to recognize it as a special day of significance.

BACKGROUND

Existing law:

- 1) Designates a number of days as days of special significance to all public schools and educational institutions and encourages them to observe that day, including Larry Itliong Day (October 25), Ronald Reagan Day (February 6), John Muir Day (April 21), and Harvey Milk Day (May 22).
(Education Code § 37222 – § 37222.17)
- 2) Requires public schools to close on a number of holidays, including January 1, Dr. Martin Luther King, Jr. Day, Lincoln Day, Washington Day, Memorial Day, July 4, Labor Day, Veterans Day, Thanksgiving Day, December 25, all days appointed by the Governor or the President of the United States for a public fast, holiday, and any other day designated as a holiday by the governing board of the school district. Existing law requires that for some specified holidays for which schools are required to close (Dr. Martin Luther King Day, Lincoln Day, and Washington Day), schools conduct exercises in commemoration.
(EC § 37220 – § 37221)
- 3) Requires the Governor to proclaim various days as holidays and days of remembrance, including among others: the third Monday in January, as Dr. Martin Luther King, Jr. Day; the month of February, as Black History Month; February 12th, as Lincoln Day; February 19th, as Japanese American Evacuation Day; March 7th, as Arbor Day; March 31st, as Caesar Chavez Day; May 22, as Harvey Milk Day; the third Saturday in June, as Juneteenth National Freedom Day: a day of observance; the fourth Friday in September, as Native

American Day; October 25, as Larry Itliong Day and; December 7th, as Pearl Harbor Day. (Government Code § 6700, et seq.)

ANALYSIS

This bill:

- 1) Makes various findings and declarations relative to Lunar New Year celebrations in California and the contributions of the Asian and Pacific Islander American community to the social, cultural, civic, economic, and academic success of this state.
- 2) States that the spirit of the Lunar New Year is especially significant for communities whose families have been forcibly kept separated both historically through discriminatory and xenophobic laws, as specified.
- 3) Encourages all public schools and educational institutions to conduct appropriate activities and exercises observing the Lunar New Year.
- 4) Provides that the date corresponding with the start of the lunar calendar of each year be designated and set apart as a day having special significance in all public schools and educational institutions.
- 5) Requires the Governor to proclaim the date corresponding with the start of the lunar calendar of each year as Lunar New Year's Day.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, California is home to nearly six million individuals of Asian Pacific Islander descent, many of whom celebrate Lunar New Year as a time to renew family ties and celebrate good health and prosperity. The author asserts that designating Lunar New Year as a day of special significance in schools will promote tolerance and provide students with increased cultural awareness about the Asian Pacific Islander Community in California.
- 2) ***Lunar New Year.*** The Lunar New Year traditionally occurs in late January or early February and is one of the most significant cultural holidays for Chinese, Korean, Vietnamese, and other Asian ethnic groups. With Asian-American communities in all regions across the state, the holiday is a popular annual celebration in California. As such, many schools organize related activities and at least one California school district, San Francisco Unified, observes the tradition by closing its schools for the day. This bill statutorily recognizes the Lunar New Year as a day of having special significance in which public schools and educational institutions are encouraged but not required to conduct exercises celebrating the occasion.
- 3) ***Discretionary activities.*** As noted in the background, current law encourages all public schools and educational institutions to observe various days designated and set apart as having special significance, and to conduct suitable

commemorative exercises. These are not required activities. Current law also includes legislative intent that exercises be integrated into the regular school program and be conducted by the school within the amount of time otherwise budgeted for educational programs. This bill's provisions are consistent with these statutes.

- 4) **Two bills on the same subject.** According to the rules adopted by this committee, "the committee, to the greatest extent possible, will not approve more than one bill on the same subject."

On January 13, 2016, this Committee heard and approved SB 616 (Huff) which is almost identical to this bill. Both SB 616 and this bill add Education Code section 37222.19, which would provide that Lunar New Year's Day be designated and set apart as having special significance in all public schools and encourage public schools and educational institutions to commemorate the day by conducting appropriate activities. Unlike SB 616, this bill additionally adds a Government Code section that would require the Governor to annually proclaim the specified date as Lunar New Year's Day statewide.

Should this Committee endorse two bills that do essentially the same thing?

Could the bill be amended to remove the duplicate Education Code provisions thereby simply leaving the Government Code authorization that requires the Governor to annually proclaim the specified date as Lunar New Year's Day?

- 5) **Related legislation.** SB 616 (Huff, 2016) which is almost identical to this bill, would require the Governor to designate the date corresponding with the start of the Asian Lunar calendar of each year as Asian Lunar New Year's Day, provides that the day be designated and set apart as having special significance and encourages all public schools and educational institutions to conduct exercises observing the Asian Lunar New Year with appropriate activities and programs. This committee heard and approved SB 616 by a vote of 6-0. SB 616 is currently pending in the Assembly Education Committee.

SUPPORT

Asian Americans Advancing Justice
 Asian Pacific Islander Legislative Caucus
 California Asian Pacific Chamber of Commerce
 Multicultural Council of America
 OCA- Asian Pacific American Advocates

OPPOSITION

Asians for Lunar New Year Group
 Chinese American Citizens Alliance Great San Gabriel Valley
 Chinese American Equalization Association
 The Orange Club

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