



COALITION FOR HUMANE IMMIGRANT RIGHTS OF LOS ANGELES

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CALIFORNIA POLITICS IN BRIEF

The California state legislative calendar ended and thus far a modest number of reasonable and progressive legislative initiatives to advance the labor and civil rights of immigrants, while integrating them into our state, were approved by the Legislature and referred to the Governor for signature. While we are pleased with these outcomes there is still a lot work ahead to ensure that productive legislation is signed into law, and because the Legislature was called on for special session to reform our healthcare system and water infrastructure. Most of CHIRLA's state policy work is accomplished in collaboration with the California Immigrant Policy Center (CIPC) - a statewide partnership of the Asian Pacific American Legal Center (APALC), the National Immigration Law Center (NILC), Services, Immigrant Rights & Education Network (SIREN), and CHIRLA. Contact Joseph Villela (jvillela@chirla.org) to join listservs, calling actions, letter writing campaigns, and legislative visits.

STATE BUDGET BALANCE ONTO THE BACKS OF LOW-INCOME CALIFORNIANS

This year's budget went into the records books as one of the longest delays in California's history. After long conversations, Republicans agreed to vote on a budget if the Governor promised to use his line-item veto power to further cut state expenditures. In the end, the Governor utilized his executive power to further cut \$703 million from the budget passed by the Senate and Assembly. The largest veto was a \$332 million reduction to the state's Medi-Cal Program. Below is a brief summary of the final budget.

Health Services

- \$10 million decrease for community clinics.
- \$55 million decrease for the Integrated Services for Homeless Adults with Serious Mental Illness program.
- \$15 million cutback in state funds for county outreach programs aimed at enrolling uninsured children in Medi-Cal or Healthy Families.
- Delayed implementation of SB 437 (Escutia, Chapter 328 of 2006), which includes a pilot program to allow Medi-Cal recipients to self-certify their income.
- Allocates \$20 million to backfill for loss of federal funds. California will not require minors who independently seek certain health services to fulfill the new requirement by the federal law.
- Provides \$11.1 million for the Medi-Cal program to make available the Human Papillomavirus Vaccine to eligible women.

Social Services

- Suspends the cost-of-living adjustment (COLA) for California Work Opportunity and Responsibility to Kids (CalWORKs) Program cash assistance in 2007-08 – the third consecutive year that the CalWORKs COLA has been suspended. This program provides cash grants to low-income families while promoting work participation. The grants are limited to 5 years for adults.
- Rejects the Governor's proposal to eliminate cash assistance to nearly 200,000 children in the California Work Opportunity and Responsibility to Kids (CalWORKs) Program.
- Cash Assistance Program for Immigrants (CAPI) provides aid to eligible immigrants who are seniors and people with disabilities who do not qualify for the federal Supplemental Security Income (SSI) as a result of the Welfare Reform of 1996. This budget included a technical 'fix' to this program by allowing CAPI recipients to continue receiving support after they have naturalized until their SSI application is processed.¹

Immigrant Programs

- Naturalization Service (NSP) Program: This program helps community based organizations to assist eligible immigrants with the process of naturalizing. The Governor rejected the \$2 million dollar augmentation that the Legislation approved. The NSP program is kept at \$3 million as it was originally proposed in the beginning of the year.

Higher Education

¹ California Immigrant Policy Center. "Final Budget Hits Low Income Californians Hard." August 2007.

- Funding for UC's labor programs is maintained.
- Allocates \$26.3 million to UC and CSU for student preparation programs.

Information on the state budget was gathered through the Legislative Analyst Office (LAO), California Budget Project (CBP), California Immigrant Policy Center (CIPC), and California Department of Finance.

CALIFORNIA'S HEALTHCARE DEBATE

In the January State Address the Governor said that California did not have the luxury to wait for the U.S Congress to solve some of California's major problems such as healthcare. The Governor presented an ambitious vision to reform our healthcare system under the premise of "shared responsibility" by government, employers, healthcare plans, doctors, hospitals, and individuals. The Governor was unable to convince a single Republican to introduce his proposal. Leadership in both the Senate and Assembly introduced different proposals: ISenate President Pro Tem Perata introduced SB 48, and Senator Kuehl re-introduced SB 840, while Assembly Speaker Núñez proposed AB 8. After negotiations, President Pro Tem Perata and Speaker Núñez merged their proposals into AB 8 (Núñez/Perata), and SB 840 (Kuehl) was held at the request of the Senator. CHIRLA has been a strong supporter of SB 840.

AB 8 (NÚÑEZ/PERATA) MAJOR COMPONENTS:

- Employment base coverage. Would offer the option to all employers to provide coverage to their employees or pay a fee to the state. Employers who choose not to offer coverage to their employees would contribute 7.5% of their payroll to the state, and their employees would be placed into a state purchasing pool. Employees would be exempt from taking employer-based coverage if it exceeds 5% of their wages, and there is a \$1,500 cap on all out pocket costs.
- Seeks to establish a state purchasing pool to serve as a source of cost-effective coverage for employees of non-offering employers. Temporary and seasonal workers would have access to the purchasing pool while they are employed. Employees in this pool would have the option to opt out if the cost of coverage exceeds 5% of their wages, and there is a \$1,500 cap on all out pocket costs.
- Expands public programs such as Medi-Cal and Healthy Families to include children and parents up to 300% of the federal poverty line (e.g. a family of 4 with annual income equal or less the \$60, 000). All children, regardless of immigration status, would have access to healthcare.
- Reforms insurance market rules by limiting the amount of money spent on administration costs, and would prohibit health plans to deny health coverage to people that have chronic diseases.

On September 10, the Legislature approved AB 8 and was referred to the Governor for a signature. While AB 8 is not perfect, it is the most significant attempt in decades to reform our healthcare system. In spite of this, the Governor announced that he will veto AB 8, and called the Legislature for an extraordinary session to continue working on the subject. CHIRLA strongly and respectfully urges the Governor to sign AB 8 into law.

The major differences between the Governor's proposal and AB 8 are as follows: percentage of employers' contribution, individual mandate, and reduction in funding to the safety-net. The Governor has been consistent on his message that 7.5% contribution by employers is excessive. However several studies suggest that on average employers who currently provide health coverage to their employees pay above 7.5%. He also believes that forcing all Californians to purchase health insurance would solve the problem, and therefore cut funding for public clinics. Though the Governor has voiced his concerns around AB 8, he has not offered specific language to move his proposal forward. If the differences between the Governor and Democrats are not resolved, two potential scenarios could emerge: 1) a ballot initiative would be introduced next year

seeking to reform our healthcare system. However, a rival initiative could be designed to confuse voters, and imperil any initiative's chance of passage. 2) At minimum all children would be have health coverage.

Information on healthcare debate was gathered through: Health Access, California Immigrant Policy Center, and office of Speaker Nunez;

CHIRLA IS SUPPORTING AND MONITORING THE FOLLOWING LEGISLATION

Immigrant Rights

AB 976 (Calderon): Would prohibit landlords from inquiring about the citizenship and immigration status of their tenants. The bill has appropriate limitations that allow landlords to still review information or documents they need to determine the financial qualifications and identity of prospective tenants and occupants.

Status: Approved by the Legislature. Referred to the Governor's desk.

SB 1 (Cedillo): Seeks to provide non-competitive state financial aid to AB 540 students that wish to attend or are currently attending institutions of higher education. This bill was amended at the twelfth hour as last minute effort to move the "California Dream Act" forward.

Status: Approved by the Legislature. Referred to the Governor's desk.

AJR 16 (Levine): Urges local, state, and federal officials to take steps related to recognizing and protecting the human rights of immigrants and publicly denouncing xenophobia and anti-immigrant bias as having no place within the immigration reform debate.

Status: Approved by the legislature and enrolled on September 5. Chief Clerk of the Assembly will transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

AJR 18 (Solario): Urges the legislature to oppose the proposed increase in the fees in the naturalization process by the United States Citizenship and Immigration Services and expresses strong support for House Joint Resolution 47 which disapproves of the fees increase and calls for the invalidation of new fees, and calls upon all members of California's Congressional delegation to cosponsor and support the swift enactment of the resolution.

Status: Approved by the legislature and enrolled on September 7. The Chief Clerk of the Assembly transmit copies of this resolution to the Director of the United States Citizenship and Immigration Services, the President of the United States, all members of California's Congressional delegation, the Speaker of the House of Representatives, and the President pro Tempore of the Senate for inclusion in the Congressional Record.

AB 295 (Lieu): Would enhance state data to reflect the diversity of APIA communities. Current law recognizes the importance of disaggregated data and requires data to be collected for approximately 10 APIA ethnic groups; however, many groups are not included. AB 295 will require certain departments to collect additional data for Hmong, Tongan, Thai, Pakistani, Bangladeshi, Sri Lankan, Malaysian, Indonesian, Taiwanese, and Fijian communities.

Status: Approved by the Legislature. Referred to the Governor's desk.

Workers' Rights

AB 448 (Arambula): Would permit employees to recover liquidated damages in complaints brought before the Labor Commission alleging payment of less than the state minimum wage.

Status: Approved by the Legislature. Referred to the Governor's desk.

SB 622 (Padilla): Would prohibit willful misclassification of employees as independent contractors, and authorize the Labor and Workforce Development Agency to assess specified civil penalties from persons or employers violating the bill.

Status: Approved by the Legislature. Referred to the Governor's desk.

Civic Engagement

SB 382 (Orepeza): Would allow individuals who become citizens after the voter registration deadline to register and vote until the close of polls on election day at locations designated by the county elections official following the date on which that person becomes a citizen.

Status: Approved by the Legislature. Referred to the Governor's desk.

AB 614 (Eng): Seeks to require county elections officials to report to the Secretary of State on their compliance with various related state and federal laws, and provide voters with language assistance such as bilingual poll workers and translated materials.

Status: Approved by the Legislature. Referred to the Governor's desk.

Health

AB 1 (Laird): This bill would expand Medi-Cal and Healthy Families Program eligibility to cover all children with family incomes at or below 300 percent of the federal poverty level (FPL). Establishes a Healthy Families Buy-In Program for children in families with family incomes above 300 percent of the FPL, and establishes various presumptive eligibility programs for children moving between Medi-Cal and Healthy Families.

Status: Held at Senate floor. Could be an item discuss in extraordinary session.

SB 32 (Steinberg): Would expand eligibility for the Medi-Cal and Healthy Families programs by allowing all children in California, regardless of status, with families incomes at or below 300% of the federal poverty level to qualify. This bill is identical to AB 1 (Laird).

Status: Held at Assembly floor. Could be an item discuss in extraordinary session.

Civil Rights

AB 43 (Leno): Enacts the Religious Freedom and Civil Marriage Protection Act, which would define a marriage as a personal relationship arising out of a civil contract between two individuals.

Status: Approved by the Legislature. Referred to the Governor's desk.

SB 1019 (Romero): Would overturn a California Supreme Court decision in *Copley Press v. Superior Court*, that prevents local civilian police review agencies from holding public hearings or releasing records related to police misconduct complaints.

Status: Held in Assembly Appropriation committee.