

CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE
California Update

Volume 6

Issue 4

October 25, 2002

2001-02 LEGISLATIVE ROUNDUP

Davis Signs Bills Benefiting Immigrants, Vetoes Others, Including Driver's License and Language Access Legislation

With only hours remaining before the Sept. 30, 2002, deadline to act on bills passed during the 2001-02 legislative session, Governor Gray Davis signed and vetoed several key pieces of legislation, leaving a mixed bag of victories and losses for the state's immigrants and their families. Affirming the growing political power of immigrants, Davis signed bills protecting the rights of immigrant workers regardless of immigration status. However, he also rejected measures that would have benefited thousands of working, taxpaying immigrants across California, including key legislation concerning access to drivers' licenses for immigrants and language rights.

Drivers' Licenses. Immigrants and their advocates were stunned by the governor's eleventh hour veto of legislation that would have allowed some undocumented immigrants to obtain drivers' licenses. The bill, AB 60 (Cedillo), passed both the Senate and Assembly with bipartisan support last year, but Davis at that time declined to sign it unless it was modified to meet certain security concerns. SB 804 (Polanco) included a number of security-related provisions requested by Davis, but nonetheless Davis vetoed both bills.

AB 60 would have allowed immigrants in the process of seeking lawful immigration status to apply for licenses. The legislation would have benefited thousands of working immigrants who, because they cannot present the required documentation, are presumably driving unlicensed and without insurance in California. SB 804 was introduced at the last minute at the governor's insistence, only to be vetoed. The bill was opposed by the California Immigrant Welfare Collaborative and other immigrants' and civil rights groups because it singled out immigrants who applied for licenses under AB 60 for criminal background checks and imposed residency and work requirements unrelated to safety or security concerns.

Language Access. Also on the governor's veto list was SB 987 (Escutia), a language access bill that would have ensured proper

implementation and enforcement of the Dymally-Alatorre Bilingual Services Act. Although he rejected SB 987, the governor signed a budget trailer bill (AB 3000) that amends Dymally-Alatorre by authorizing the State Personnel Board to better enforce the law. The bill also requires state agencies to develop long-term implementation plans to bring them into compliance with the law.

In another important development related to language access, Davis signed into law AB 3035 (Judiciary Committee), which provides that programs operated or funded by state agencies are prohibited from discriminating on the basis of race or national origin. Davis also signed SB 371, which sets forth procedures for the employment and compensation of certified and registered trial court interpreters. In the health care arena, Davis vetoed AB 2739, a language access bill that would have made more uniform existing cultural and linguistic competency requirements for health plans that participate in Medi-Cal managed care and the Healthy Families program.

Workers' Rights. In a significant victory for immigrant workers, Governor Davis approved several important bills affecting collective bargaining and workers' rights. Two bills, SB 1156 (Burton) and AB 2596 (Wesson), protect the rights of farm workers to organize and bargain with their employers. Specifically, workers will be able to use mediation to settle disputes with growers. United Farm Workers President Arturo Rodriguez said the new laws will enable some of the poorest and most abused workers in California to win life-changing benefits under union contracts.

Another bill signed by the governor, SB 1818, mitigates the

Continued on page 2

THE CALIFORNIA IMMIGRANT WELFARE COLLABORATIVE IS A JOINT PROJECT OF

Asian Pacific American Legal Center of Southern California • Coalition for Humane Immigrant Rights of Los Angeles
National Immigration Law Center • Services, Immigrant Rights, and Education Network

COLLABORATIVE SACRAMENTO OFFICE: 926 "J" Street, Suite 701, Sacramento, CA 95814 • 916.448.6762 • fax 916.448.6774

TO RECEIVE "CALIFORNIA UPDATE" AND OTHER COLLABORATIVE MATERIALS, REQUEST "CIWC SIGN-UP" FROM
National Immigration Law Center, 3435 Wilshire Blvd., Suite 2850, Los Angeles, CA 90010 • 213.639.3900 • fax 213.639.3911

Continued from page 1

adverse impact of the U.S. Supreme Court's decision in *Hoffman Plastic Compounds, Inc. v. NLRB* by ensuring that all protections, rights, and remedies available under state law extend to all workers in California regardless of their immigration status.

The governor also signed AB 2837 (Koretz), a bill that, among its other provisions, requires CalOSHA to ensure that limited English-proficient individuals can communicate with the department. Under the new law, CalOSHA, the state's occupational health and safety agency, must issue a progress report on its efforts by July of 2004. The governor also signed AB 2913 (Firebaugh), a bill that extends the statute of limitations for former Bracero Program workers to reclaim wages lost nearly six decades ago.

Health and Human Services. Citing fiscal concerns, the governor vetoed several measures that would have benefited the working poor and welfare recipients. For example, Davis vetoed a bill to extend the time limits on CalWORKS eligibility for certain participants: those engaged in education or training programs and individuals with physical, mental, or emotional conditions or learning disabilities that prevent full-time participation in or completion of the program. Also vetoed by the governor was

AB 1947, a bill that would have exempted individuals enrolled in a drug treatment program under Proposition 36 from the lifetime ban on food stamps.

Governor Davis also rejected SB 1654 (Burton), a measure that would have established the Office of Homelessness within the governor's office. However, the governor did sign SB 59 (Escutia). The bill will require the Managed Risk Medical Insurance Board (MRMIB), which administers the state's Healthy Families program, to recommend innovative methods of addressing the health needs of vulnerable populations, including immigrants and homeless children. The initiative, if approved by the federal agency under the State Children's Health Insurance Program (SCHIP), will allow California to use federal funds to support these health care services for children.

Other Bills of Interest. The governor also signed AB 116 (Nakano), approving the creation of a state Asian Pacific Islander American Advisory Commission. The commission is to advise the governor, the legislature, and state agencies on social and economic issues of concern to API communities as well as on their rights and interests. It will meet four times a year in locations throughout California and prepare a series of recommendations annually to present to the governor and legislators. The commission is scheduled to begin meeting in Jan. 2004.

NATIONAL IMMIGRATION LAW CENTER
3435 Wilshire Boulevard, Suite 2850
Los Angeles, CA 90010

Address correction requested