

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 9, 1994

ALL-COUNTY LETTER NO. 94-94

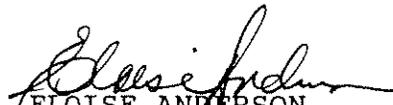
TO: ALL COUNTY WELFARE DIRECTORS
ALL CHILD SUPPORT DIRECTORS

SUBJECT: PROPOSITION 187

Attached for your information is the Executive Order issued today by Governor Wilson directing this department to implement those provisions of Proposition 187 under our jurisdiction. As directed by the Governor, we will develop and file emergency regulations with the Office of Administrative Law.

I anticipate that this department should have the regulations filed by the end of this month clarifying those actions needed to be taken by the counties to comply with the new law.

Sincerely


ELOISE ANDERSON
Director

Attachment

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



EXECUTIVE ORDER W-113-94

WHEREAS, the people of California have passed the Save Our State Initiative, and in so doing, have sent a clear message that it is wrong to reward those who break our immigration laws; and

WHEREAS, the voters of California have approved Proposition 187 to end the unfairness of the federal government's mandate on California to provide services to illegal aliens at the expense of our taxpayers and our legal residents who are in need of services we can no longer provide; and

WHEREAS, the Federal government has failed in its fundamental responsibility to secure our borders and enforce the immigration laws of our nation; and

WHEREAS, in enacting Proposition 187, the people of California have recognized that the existence of unlimited, and uncontrolled illegal immigration is costing state taxpayers over \$2.4 billion annually; and

WHEREAS, the State of California welcomes more legal immigrants each year than any other state in the nation, and as a people we are proud of the contribution made by all citizens to our economy, our culture, and our ethnic diversity; and

WHEREAS, as Congress has voted to end access to federal entitlements for illegal immigrants, so California taxpayers have voted to end public services for those who have entered the country illegally; and

WHEREAS, the provisions of Proposition 187 must be enforced so as to assure that no discrimination results and that the rights of legal residents of the state are fully protected; and

WHEREAS, the California Constitution provides that an initiative statute approved by the voters takes effect the day after the election unless the measure provides otherwise;

NOW, THEREFORE, I, PETE WILSON, Governor of the State of California:

- (1) Direct all provisions of Proposition 187 except sections two and three regarding penalties for false documentation, which are effective immediately, shall be implemented in a fair and nondiscriminatory manner upon the issuance of emergency regulations and such other notices as are required by law.
- (2) All affected state agencies are directed to develop emergency regulations implementing Proposition 187, including:

Department of Health Services
Department of Social Services
California Highway Patrol
California State Police
Department of Corrections and Youth Authority

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Such other departments offering services affected by the provisions of Proposition 187

- (3) Have signed a letter to be delivered to the California State Board of Education, the Board of Regents of the University of California, the Board of Trustees of the California State University, and the Board of Governors of the California Community Colleges asking them to assume responsibility for the development of emergency regulations implementing the provisions of Proposition 187, recognizing their obligation as public agencies carrying out state law, their respective governing statutes, and the public policy recognized in Government Code Section 1222.
 - (4) Direct all agencies, in drafting emergency regulations, to ensure that the rights of all legal residents are protected, and that the provisions of Proposition 187 are implemented in a manner that avoids discrimination on the basis of national origin. In so doing, the term "reasonably suspect" shall be defined (solely) as failure to provide documentation of legal residency status when applying for public benefits.
 - (5) Direct all agencies, in drafting these regulations, to incorporate a procedure of verification for citizenship, legal immigrant or legal resident status, as a supplement to current admissions and eligibility procedures utilized by hospitals, schools and other providers of public services. The requirement that such verification be provided at the same time that individuals are now required to demonstrate evidence of health insurance coverage or school vaccinations before gaining admittance to a hospital or school, will ensure that the delivery of health care services and class room instruction will not be affected by such procedures.
 - (6) The Director of the Department of Health Services shall immediately notify providers that prenatal services for aliens without legal immigrant status will be discontinued as soon as legally possible, and that further admissions to the long term care program will only be granted to individuals eligible under the provisions of Proposition 187.
- I further direct the department to draft legislation for immediate consideration by the Legislature upon their return that redirects funds saved from the discontinuance of prenatal services for aliens to assist legal residents who qualify for the Access for Infants and Mothers (AIM) program.
- (7) Direct the Director of the Department of Health Services to issue, inter alia, emergency regulations which provide for the continued availability at all levels of government, independent of citizenship or immigration status, of such public health services as they deem necessary to protect the general public from threats to the public health.
 - (8) Have signed a letter to the President requesting his full cooperation in implementing Proposition 187 in a humane and effective manner consistent with the federal law, and specifically requesting immediate access to the Systematic Alien Verification Entitlements Program (SAVE) to verify residency status.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of November 1994

Pat Wilson
Governor of California

ATTEST:

Tony Miller
Acting Secretary of State

