

Asian Americans for Civil Rights and Equality

2004 Asian and Pacific American Legislative Report Card

**How State Lawmakers Voted on Priority Issues for
California's Asian and Pacific Americans**

**AACRE is a joint project of
CAA | Center for Asian American Advocacy
Asian Pacific American Legal Center
Asian Law Caucus**

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AACRE

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A NEW POLITICAL LANDSCAPE IN CALIFORNIA

The 2004 legislative year marked a dramatic change in the California political landscape. Governor Arnold Schwarzenegger began his first full year in office after unseating Gray Davis in a special election at the end of 2003, the first successful recall of a sitting governor in the state's 153-year history. Many Asian and Pacific Americans (APAs) looked to the newly-elected leader with hopes that his own immigrant experience would help to promote a positive agenda for immigrant and civil rights. However, as described in more detail below, Governor Schwarzenegger's first year in office was disappointing at best.

Also in 2004, term limits ended the distinguished political careers of several longtime legislators in the State Capitol. By the end of 2004, both the Senate and Assembly had new leaders, with Don Perata (D-Oakland) succeeding veteran lawmaker John Burton (D-San Francisco) at the helm of the state Senate as its new President pro-Tem, and Fabian Núñez (D-Los Angeles), elected as Assembly Speaker, replacing Herb Wesson, Jr. (D-Culver City) in that powerful post.

Some speculated that the popularity of movie star-turned-politician Arnold Schwarzenegger and the changing guard of the Legislature would diminish the power of the legislative branch. But the Legislature held its ground on some of the Governor's more severe budget-cutting proposals, and presented Schwarzenegger with an ambitious package of bills for his signature or veto.

In this second annual Asian Pacific American Legislative Report Card, we examine the votes of the Legislature and the Governor on ten bills in 2004 of particular importance to California's APA population. The Report Card also examines state Senate and Assembly votes on three key resolutions that did not require action by the Governor.

THE AACRE LEGISLATIVE REPORT CARD

Our second annual Report Card evaluates Senate and Assembly floor votes in the 2004 legislative year on 13 significant bills and resolutions affecting issues of particular importance to California's APA community. These 13 pieces of legislation were selected because they were strongly supported by APA organizations and community groups during the legislative process, or otherwise conferred specific benefits for APA communities. Each made it to the floor of both houses of the State Legislature, affording every Member an opportunity to cast his or her votes. The methodology used to calculate each Member's percentage rating is explained in detail later in this report.

Issues addressed by the bills and resolutions covered in this Report Card include language access, protections against hate crimes, equal opportunity programs, immigrant rights, and acknowledging the contributions of particular Asian American groups in our educational curriculum and civic life.

Established in March 2003 as the first legislative policy office in the state capital dedicated to advocating on behalf of California's APA community, **Asian Americans for Civil Rights and Equality (AACRE)** is a non-partisan collaborative project of CAA | Center for Asian American Advocacy, based in San Francisco, the Asian Pacific American Legal Center (APALC), based in Los Angeles, and Asian Law Caucus (ALC), also based in San Francisco.

Founded in 1969, CAA is committed to defending and promoting the civil rights of Asian and Pacific Americans and advancing multiracial democracy in the United States. In addition to providing direct services, outreach and education, and research and analysis, CAA is a leading statewide advocate on a wide range of issues, including language access, workplace and educational equality, affirmative action, workforce development, and voting rights.

APALC was established in 1983 and is the largest organization in southern California providing APA and other communities with multilingual, culturally sensitive legal services and education. To achieve social justice, APALC engages in direct services, impact litigation, policy analysis and advocacy, and leadership development. APALC has built coalitions and advocates at the state level on a range of policy issues, including low-wage and immigrant labor, consumer protection, voting rights, immigrant health and social services, and language access.

Founded in 1972, ALC was the nation's first nonprofit law office serving Asians and Pacific Islanders. ALC's mission is to promote, advance, and represent the legal and civil rights of the Asian and Pacific Islander community. Through a three-pronged strategy of impact litigation and policy, legal services, and community education and organizing, ALC advocates statewide on immigration, consumer, and housing issues, workers' rights, voting rights and hate crimes.

This year, we also examined the Governor's record of action on each of the ten bills included in our Report Card that arrived at his desk for his signature of approval or veto. Upon a vote by the Legislature, resolutions do not require any further action by the Governor. Therefore, the three resolutions included in our evaluation of legislators have no bearing on the Governor's record.

This report is intended to serve as an informational resource for state policymakers and the general public about legislative voting records on issues important to California's diverse APA communities. Nothing in this report constitutes an endorsement or a denunciation of any member of the State Legislature or of the Governor.

A DEMOGRAPHIC SNAPSHOT OF CALIFORNIA'S APA POPULATION

One out of every three Asian Americans lives in California, with 2003 Census estimates placing the population at over 4.5 million. Another approximately 250,000 comprise the state's Native Hawaiian and Pacific Islander population. Together these groups make up approximately 13.6 percent of the total state population.

The APA community is ethnically diverse and predominantly immigrant. Among the groups included in the Census Bureau's "Asian" and "Pacific Islander" categories are: Asian Indian, Bangladeshi, Cambodian, Chinese, Fijian, Filipino, Guamanian or Chamorro, Hmong, Indonesian, Japanese, Korean, Laotian, Malaysian, Native Hawaiian, Pakistani, Samoan, Sri Lankan, Taiwanese, Thai, Tongan, and Vietnamese. Over 66 percent of Asians in California are foreign-born, reflecting both immigrant and refugee status.

Language proficiency is a challenge for the APA population as a whole. Eighty percent of California's APA residents age 5 and over speak a language other than English at home. Fifty-three percent of the state's APA foreign-born population is limited-English proficient, or speaks English less than "very well." Twenty-three percent live in linguistically isolated homes, where all household members age 14 and over have difficulty speaking English.

With regard to income level and education, APAs are disproportionately represented at both the top and bottom. While collectively Asians have the highest median household income (\$55,366 annual gross income) of any racial group in the state, approximately 12.8 percent live in poverty, a full five percentage points higher than the poverty rate of non-Hispanic whites. Poverty rates among Southeast Asian refugee populations and Pacific Islanders are significantly higher (53 percent of Hmong, 32 percent of Laotians, 40 percent of Cambodians, and 16 percent of Pacific Islanders). Relative to non-Hispanic whites in California, Asians are significantly more likely to have at least a Bachelor's degree from a college or university (41.6 percent versus 29.8 percent), but also more likely to have less than a ninth grade education (11.4 percent versus 6.9 percent). Just 12.6 percent of Pacific Islanders in the state have attained at least a Bachelor's degree.

BUDGET BATTLES IN A TIME OF FISCAL CRISIS

Perhaps the most significant legislation lawmakers decide on each year is the package of state budget bills. There are so many disparate issues and substantive priorities reflected in the overall budget, that it is impossible to include omnibus budget bills in our rating calculus. It is, however, worth reflecting briefly on how the state budget impacted APAs this past year.

Governor Schwarzenegger signed a \$105 billion state budget for California in August 2004. When the budget proposal first came out in January, prospects for the state's low-income immigrant communities were grim. The new Governor's administration proposed to restrict immigrant enrollment in vital state social service and health programs as a means to shave down the budget. AACRE joined efforts to protect the safety net for immigrant communities, and the Legislature rejected many of the most severe proposals.

The initial version of the budget proposed placing immigrants on waiting lists and capping immigrant enrollment in vital state programs, including Healthy Families, Medi-Cal, CalWORKS, California Food Assistance Program, and Cash Assistance Program for Immigrants. It also sought to restructure state funding to make services for immigrants in these programs discretionary at the county level. Immigrant and civil rights advocates around the state, including AACRE, protested and testified about the devastating impact of these proposals before the State

Legislature, which rejected them. In May 2004, advocates were heartened when Governor Schwarzenegger rescinded his proposal to roll back safety net programs for immigrants.

Governor Schwarzenegger also proposed to eliminate a life-sustaining assistance program for Filipino World War II veterans, the California Veterans Cash Benefit (CVCB) program. Over 100,000 Filipino soldiers were commissioned by the United States to join the U.S. Army during WWII. Established in 2000, the CVCB program provides approximately 1700 surviving Filipino WWII veterans who settled in California with a modest monthly state grant equivalent to the state assistance provided to other veterans as a supplement to their federal benefits. These veterans average over 80 years old, and many are now frail or ill.

AACRE led efforts to mobilize hundreds of Filipino WWII veterans and immigrant advocacy groups around the state to oppose the proposal and speak out about the sacrifices made by Filipino veterans on behalf of the United States. Elderly veterans offered moving and passionate testimony at budget hearings before the State Legislature. The state's Asian Pacific Islander Legislative Caucus – comprised of Assemblymembers Judy Chu (D-Monterey Park, Chair), Wilma Chan (D-Oakland), Carol Liu (D-La Canada Flintridge), George Nakano (D-Torrance), and Leland Yee (D-San Francisco) – was joined by other key legislators, including Senator Gil Cedillo (D-Los Angeles) and Assemblymember Alan Nakanishi (R-Lodi), in leading opposition to the proposal within the Legislature. As a result of these efforts, state lawmakers rejected the proposal and the CVCB program was preserved in the final state budget.

The final budget also included a \$267,000 allocation of federal funds to develop a multilingual website and electronic clearinghouse to promote the increased availability of translated informational materials for limited-English speaking parents of children in California's K-12 public education system. One out of every four children enrolled in the state's public schools is an English language learner. Virtually all come from households with limited-English speaking parents. Language barriers prevent many immigrant parents from meaningfully participating in the education of their children. AACRE and other immigrant and education advocacy organizations worked closely with Assembly Member Wilma Chan and her staff to craft this innovative proposal to increase translated information for limited-English proficient parents on critical issues, including standardized testing, English language development programs, special education, student discipline, and parent's rights.

The state's heavy reliance on borrowed funds without increasing state revenues to balance the budget forebodes even tougher budget battles in the next several years. Grappling with a staggering budget shortfall, the state relied in large part on over \$11 billion in bond funds to balance the 2004-05 budget. In addition, the Governor negotiated several agreements to defer state investments in education and local government in the next year. Because of these choices, California already faces projected deficits of up to \$10 billion for each of the next two fiscal years, with no prospect of additional bond money.

APA LEGISLATIVE ISSUES IN 2004

Issues important to California's APA communities are as varied as the diverse population itself. Our Report Card examines voting records on civil and immigrant rights issues of particular importance to APAs. A detailed explanation of each piece of legislation included in our Report Card follows the scorecard section of this Report.†

LANGUAGE ACCESS

As it has in recent years, language access continued to command the interest and attention of state policymakers in 2004. The issue has gained bi-partisan support, with Asian American and Latino legislators of both parties demonstrating leadership in recognizing the importance of a truly responsive government for all Californians,

† Each year, the Legislature introduces a number of commemorative resolutions that, while important in honoring the experiences and contributions of various communities, do not urge any specific governmental action or raise any issues of public debate. For these reasons, we did not include them in our Report Card. Among the resolutions important to California's APA communities in 2004 that we did not include in this Report Card are: ACR 182 (Samuelian) (recognizing May 15 as Hmong-American Veterans Memorial Day); ACR 213 (Wiggins) (recognizing the contributions made by Filipino labor leaders and farmworkers to the farmworker movement); ACR 227 (Chu) (commending APAs for their accomplishments and service to the state and recognizing May 2004 as Asian and Pacific Islander American Heritage Month); ACR 243 (Samuelian) (honoring the contributions of the Sikh community to California); and HR 39 (Liu) (marking Lunar New Year celebrations in California).

including the state's large immigrant population. Approximately 53 percent of foreign-born APAs and 70 percent of foreign-born Latinos in California are LEP. For immigrants, limited English proficiency poses a barrier to government programs and services, and better-paying jobs. Resources for English-language training are insufficient to meet the demand and have been dwindling in a time of fiscal crisis.

Assembly Member Leland Yee (D-San Francisco) introduced a bill, AB 2408, to strengthen the existing *Dymally-Alatorre Bilingual Services Act* and ensure better compliance with the state's principal language rights law. The bill won passage in both the Assembly and Senate, only to be vetoed by Governor Schwarzenegger. In 2004, Assembly Member Yee also fought for legislation, AB 292, to restrict the use of children as interpreters by state agencies. That bill died in the Senate Appropriations Committee. Assembly Member Wilma Chan (D-Oakland) led successful efforts to ensure that the state budget allocated some federal funds to facilitate the participation of LEP parents in the public education of their children, a requirement of the federal *No Child Left Behind Act*.

HATE CRIMES

The perception of Asian Americans as "perpetual foreigners" has fueled anti-Asian violence, harassment, and intimidation. In times of crisis, the rate of hate crimes against Asians spikes. September 11 led to a rash of attacks against South Asian Americans, particularly Sikhs, and others perceived to be "Middle Eastern." State lawmakers have acted to make California's anti-hate crime laws among the toughest in the nation.

The brutal slaying of 17-year old, Taiwanese American Kenny Chiu by his next-door neighbor, an avowed white supremacist, and the subsequent finding by the Court that his killer was "not guilty by reason of insanity," prompted outcries in the Asian American community. In response, Assembly Member Judy Chu (D-Monterey Park) introduced two bills to increase the safety of hate crime victims and their families, while promoting rehabilitation of hate crime perpetrators. The first, AB 2428, requires that, absent compelling circumstances, a protective order be issued to safeguard victims and their families upon the release of a hate crime perpetrator from state custody. It also promotes the use of bias counseling programs in the rehabilitation of hate crime perpetrators. The bill won almost unanimous approval in the Legislature, and was signed into law by the Governor. Assembly Member Chu also introduced a bill, AB 2191, which would have provided victims notice upon the release of a perpetrator declared not guilty by reason of insanity from a state mental hospital. That bill was vetoed by the Governor.

Recognizing the increased violence faced by certain communities after September 11, Assembly Member Chu introduced a resolution, AJR 64, to condemn bigotry and violence against Arab, South Asian, Muslim, and Sikh Americans and urging law enforcement authorities to vigorously investigate and prosecute such acts. The resolution won unanimous approval by the Legislature, and did not require further action by the Governor.

Senator Sheila Kuehl (D-Santa Monica) brought legislation, SB 1234, to overhaul the state's hate crimes protections. Among other things, the bill creates a standard definition of hate crimes across statutes, increases training of peace officers to properly identify and report hate crimes, and expands civil rights related training for hate crime perpetrators as part of their rehabilitation. After gaining bi-partisan support in the Legislature, the bill was signed into law by the Governor.

Assembly Member Robert Pacheco (R-Walnut) introduced a bill, AB 2288, to strengthen hate crime protections by lowering the threshold amount of damage to property for prosecution of hate-motivated vandalism as a felony from \$500 to \$400, bringing it in line with the threshold for felony prosecution of general vandalism to property in California. The bill was unopposed in the Legislature, and the Governor signed it into law.

OTHER ISSUES

Other legislative issues of importance to APA communities in 2004 included the rights of immigrant foster children, equal opportunity in employment and education, immigration consultant fraud, the role of Filipinos during World War II, immigrant rights for gays and lesbians, and the recognition of a major Indian American center of commerce in Southern California.

2004 Asian and Pacific American Legislative Report Card

REPORT CARD RATING METHODOLOGY






Ratings were calculated by examining each member's votes on the 13 bills and resolutions identified as particularly important to California's Asian and Pacific American (APA) communities. These bills and resolutions were identified based on either strong support by APA organizations and community groups for the legislation during the legislative process, or because they were of particular importance to APA communities. Our record reflects the final floor votes on each piece of legislation, meaning the votes of the full Assembly or Senate on the final version of each bill or resolution.

AACRE supports the identified bills and resolutions because of their impact on APA communities in the areas of language access, hate crimes, civil rights, equal opportunity, education, and immigrant rights. All of the earmarked bills and resolutions made it to the floors of both houses of the Legislature, and therefore afforded each member of the Legislature an opportunity to cast their votes, "Aye," or "Nay."

Because all 13 measures were beneficial to APAs, an "Aye" vote on these bills and resolutions was viewed in our analysis as favorable to APA interests. A "Nay" vote was therefore regarded negatively in the rating calculation.

Similarly, failing to cast a vote, or "Not Voting," without an excused absence on the day of the floor vote factored into our ratings as a "Nay" vote. In addition to voting "Aye" or "Nay," members may choose to "stay off" a bill and not cast a vote. Since members who inadvertently miss a vote on a bill because they were off the floor temporarily or engaged in a conversation have an opportunity to adjust their vote before the end of the floor session, we do not consider "Not Voting" a neutral position on the bill. It should be noted, however, that members who stayed off the vote on a final version of a bill may have supported the policy behind the legislation as reflected by "Aye" votes on an earlier version. A failure to vote on a bill attributable to an excused absence, as verified by the official Daily Journal, was not counted against a member, and did not figure into the ratings calculations.

REPORT CARD KEY

- D = Democrat
 - R = Republican
 - Y = "Aye" vote
 - N = "Nay" vote
 - NV = Not Voting (member not excused)
 - A = Absent (member was excused)
-
-  = less than 5 % APA district population
 -  = 5-10 % APA
 -  = 10-20 % APA
 -  = 20-30 % APA
 -  = over 30 % APA

2004 Voting Record – California State Assembly

Name	Party	Hometown	District	APA Pop.	Rating	SB 1234	AB 1895	AB 2189	AB 2275	AB 2288	AB 2387	AB 2408	AB 2428	AB 2512	AB 2691	AJR 60	AJR 64	ACR 67
Greg Aghazarian	R	Stockton	26	8.22%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
Patricia Bates	R	Laguna Niguel	73	6.72%	46%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	N
John J. Benoit	R	Riverside	64	5.24%	46%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	NV
Patty Berg	D	Eureka	1	1.95%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rudy Bermúdez	D	Norwalk	56	17.91%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y
Russ Bogh	R	Cherry Valley	65	2.95%	46%	N	N	Y	N	NV	N	N	Y	Y	Y	N	Y	Y
Ronald S. Calderon	D	Montebello	58	11.80%	100%	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y
John Campbell	R	Irvine	70	17.00%	33%	N	N	A	N	Y	N	N	N	Y	Y	N	Y	N
Joe Canciamilla	D	Pittsburg	11	12.76%	92%	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	A	Y
Wilma Chan	D	Oakland	16	19.44%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Edward Chavez	D	La Puente	57	12.40%	92%	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y
Judy Chu	D	Monterey Park	49	39.19%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
David Cogdill	R	Modesto	25	3.45%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	N
Rebecca Cohn	D	Saratoga	24	20.73%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ellen M. Corbett	D	San Leandro	18	18.02%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lou Correa	D	Santa Ana	69	10.26%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Dave Cox	R	Fair Oaks	5	5.83%	50%	N	N	Y	N	Y	N	N	Y	Y	Y	N	A	Y
Lynn Daucher	R	Brea	72	11.59%	54%	N	Y	Y	N	Y	NV	N	Y	Y	Y	NV	Y	N
Manny Diaz	D	San Jose	23	27.56%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Dutra	D	Fremont	20	37.92%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Robert D. Dutton	R	Rancho Cucamonga	63	7.23%	46%	N	NV	Y	N	Y	N	N	Y	Y	Y	N	Y	N
Mervyn M. Dymally	D	Compton	52	2.11%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Marco Firebaugh	D	East Los Angeles	50	3.15%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Dario J. Frommer	D	Los Angeles	43	12.48%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bonnie Garcia	R	Cathedral City	80	2.09%	85%	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	NV	Y	Y
Jackie Goldberg	D	Los Angeles	45	16.28%	92%	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y
Loni Hancock	D	Berkeley	14	15.41%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Tom Harman	R	Huntington Beach	67	15.10%	50%	N	Y	Y	N	Y	N	N	Y	Y	Y	N	A	NV
Ray Haynes	R	Murietta	66	4.06%	38%	N	N	N	N	Y	N	N	Y	Y	N	N	Y	Y
Jerome E. Horton	D	Inglewood	51	8.97%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Shirley Horton	R	Chula Vista	78	17.31%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Guy Houston	R	Livermore	15	8.83%	46%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	NV
Hannah-Beth Jackson	D	Santa Barbara	35	4.53%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rick Keene	R	Chico	3	3.45%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
Christine Kehoe	D	San Diego	76	8.76%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paul Koretz	D	West Hollywood	42	8.10%	N/A	A	A	Y	A	A	A	Y	A	Y	A	A	Y	A
Jay La Suer	R	La Mesa	77	4.20%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
John Laird	D	Santa Cruz	27	6.72%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Doug Lamalfa	R	Richvale	2	3.90%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y

Name	Party	Hometown	District	APA Pop.	Rating	SB 1234	AB 1895	AB 2189	AB 2275	AB 2288	AB 2387	AB 2408	AB 2428	AB 2512	AB 2691	AJR 60	AJR 64	ACR 67
Mark Leno	D	San Francisco	13	21.96%	92%	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Tim Leslie	R	Tahoe City	4	4.55%	46%	N	NV	Y	N	Y	N	N	Y	Y	Y	N	Y	NV
Lloyd E. Levine	D	Van Nuys	40	11.82%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sally J. Lieber	D	Mountain View	22	34.68%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Carol Liu	D	La Canada Flintridge	44	20.23%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Longville	D	San Bernardino	62	3.72%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Alan Lowenthal	D	Long Beach	54	12.69%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ken Maddox	R	Garden Grove	68	25.88%	50%	NV	N	Y	N	Y	NV	N	Y	Y	Y	N	A	Y
Abel Maldonado	R	Santa Maria	33	3.86%	77%	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	N
Barbara Matthews	D	Tracy	17	10.53%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y
Bill Maze	R	Visalia	34	3.34%	54%	NV	Y	Y	N	Y	N	N	Y	Y	Y	N	Y	NV
Kevin McCarthy	R	Bakersfield	32	3.49%	46%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	NV
Cindy Montañez	D	San Fernando	39	7.17%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Dennis Mountjoy	R	Monrovia	59	6.76%	46%	NV	N	NV	N	Y	N	N	Y	Y	Y	N	Y	Y
Gene Mullin	D	S. San Francisco	19	25.10%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y
Alan Nakanishi	R	Lodi	10	11.69%	62%	N	N	Y	N	Y	N	Y	Y	Y	Y	N	Y	Y
George Nakano	D	Torrance	53	16.91%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Joe Nation	D	San Rafael	6	5.09%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gloria Negrete-McLeod	D	Chino	61	5.96%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Fabian Núñez	D	Los Angeles	46	4.53%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jenny Oropeza	D	Long Beach	55	17.10%	100%	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y
Robert Pacheco	R	Walnut	60	24.68%	54%	N	NV	Y	N	Y	N	NV	Y	Y	Y	N	Y	Y
Nicole Parra	D	Hanford	30	3.68%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Fran Pavley	D	Agoura Hills	41	7.84%	100%	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y
George A. Plescia	R	San Diego	75	18.77%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
Sarah Reyes	D	Fresno	31	8.58%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y
Keith Richman	R	Northridge	38	9.54%	77%	Y	Y	Y	N	Y	N	Y	Y	Y	Y	NV	Y	Y
Mark Ridley-Thomas	D	Los Angeles	48	11.76%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sharon Runner	R	Lancaster	36	3.67%	46%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	NV
Simon Salinas	D	Salinas	28	9.22%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Steve Samuelian	R	Clovis	29	7.49%	54%	NV	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
S. Joseph Simitian	D	Palo Alto	21	13.32%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Todd Spitzer	R	Orange	71	8.49%	54%	NV	N	Y	N	Y	NV	N	Y	Y	Y	N	Y	Y
Darrell Steinberg	D	Sacramento	9	18.81%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Tony Strickland	R	Thousand Oaks	37	6.38%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
Juan Vargas	D	San Diego	79	9.58%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Herb J. Wesson, Jr.	D	Culver City	47	11.65%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Patricia Wiggins	D	Santa Rosa	7	10.31%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Lois Wolk	D	Davis	8	10.61%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Mark Wyland	R	Del Mar	74	4.97%	54%	N	N	Y	N	Y	N	N	Y	Y	Y	N	Y	Y
Leland Yee	D	San Francisco	12	44.41%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

¹Due to illness in his family, Assembly Member Koretz was unable to cast votes on many bills. His voting record was insufficient to calculate a rating.

2004 Voting Record – California State Senate

Name	Party	Hometown	District	APA Pop.	Rating	SB 1234	AB 1895	AB 2189	AB 2275	AB 2288	AB 2387	AB 2408	AB 2428	AB 2512	AB 2691	AJR 60	AJR 64	ACR 67
Sam Aanestad	R	Grass Valley	4	4.22%	31%	N	N	N	N	Y	N	N	N	Y	Y	N	Y	N
Dick Ackerman	R	Irvine	33	12.79%	23%	N	N	N	N	Y	N	NV	NV	Y	N	N	Y	N
Richard Alarcón	D	Sun Valley	20	9.32%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Deirdre Alpert	D	San Diego	39	14.71%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV
Roy Ashburn	R	Bakersfield	18	3.82%	38%	N	Y	N	N	Y	N	N	N	Y	Y	N	Y	N
Jim Battin	R	La Quinta	37	4.54%	31%	N	N	N	N	Y	N	N	Y	Y	N	N	Y	N
Debra Bowen	D	Marina del Rey	28	16.18%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	NV
James Brulte	R	Rancho Cucamonga	31	6.47%	31%	N	N	N	N	Y	N	N	NV	Y	N	N	Y	Y
John Burton	D	San Francisco	3	14.48%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gil Cedillo	D	Los Angeles	22	13.62%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Wesley Chesbro	D	Arcata	2	6.62%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jeffrey Denham	R	Salinas	12	6.20%	23%	N	N	N	N	Y	N	N	N	Y	N	N	Y	N
Denise Moreno Ducheny	D	San Diego	40	8.63%	92%	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Joseph Dunn	D	Santa Ana	34	16.74%	100%	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	Y
Martha Escutia	D	Whittier	30	6.36%	77%	Y	Y	Y	Y	NV	NV	Y	Y	Y	Y	Y	Y	NV
Liz Figueroa	D	Sunol	10	32.63%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Dean Florez	D	Shafter	16	6.45%	69%	Y	Y	Y	Y	Y	Y	Y	NV	Y	NV	NV	Y	N
Dennis Hollingsworth	R	Murietta	36	6.60%	31%	N	N	N	N	Y	N	N	N	Y	N	N	Y	Y
Ross Johnson	R	Irvine	35	17.54%	23%	N	N	NV	N	Y	N	NV	NV	Y	NV	N	Y	N
Betty Karnette	D	Long Beach	27	13.10%	85%	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	N
William J. Knight	R	Palmdale	17	5.87%	N/A [†]	--	--	--	--	--	--	--	--	--	--	--	--	--
Sheila James Kuehl	D	Santa Monica	23	9.21%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mike Machado	D	Linden	5	14.35%	85%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	NV
Bob Margett	R	Arcadia	29	20.75%	31%	N	N	N	N	Y	N	N	Y	Y	NV	NV	Y	N
Tom McClintock	R	Thousand Oaks	19	5.98%	23%	N	N	N	N	Y	N	N	NV	Y	N	N	Y	N
Bruce McPherson	R	Santa Cruz	15	8.50%	62%	Y	NV	N	N	Y	Y	NV	Y	Y	Y	N	Y	Y
Bill Morrow	R	Oceanside	38	7.20%	31%	N	N	NV	N	Y	N	N	N	Y	N	N	Y	Y
Kevin Murray	D	Los Angeles	26	11.83%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rico Oller	R	San Andreas	1	4.98%	23%	N	N	N	N	Y	N	N	N	Y	N	N	Y	N
Deborah Ortiz	D	Sacramento	6	14.65%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV
Don Perata	D	Oakland	9	16.85%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y
Charles Poochigian	R	Fresno	14	6.24%	31%	N	N	N	N	Y	N	N	NV	Y	N	N	Y	Y
Gloria Romero	D	Los Angeles	24	19.35%	100%	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y
Jack Scott	D	Altadena	21	18.19%	92%	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y
Byron Sher	D	Stanford	11	15.61%	100%	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y
Nell Soto	D	Pomona	32	5.10%	100%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jackie Speier	D	Hillsborough	8	34.62%	85%	Y	Y	Y	Y	NV	NV	Y	Y	Y	Y	Y	Y	Y
Tom Torlakson	D	Antioch	7	12.93%	92%	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N
John Vasconcellos	D	Santa Clara	13	28.28%	92%	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y
Edward Vincent	D	Inglewood	25	9.24%	N/A ^{††}	NV	NV	A	NV	Y	A	A	Y	Y	A	A	Y	Y

[†]Senator Knight battled illness during the legislative session and passed away in May 2004. No rating was calculated for his voting record.

^{††}Due to illness in his family, Senator Vincent was unable to cast votes on many bills. His voting record was insufficient to calculate a rating.

THE IMMIGRANT GOVERNOR?

Given Arnold Schwarzenegger’s own immigrant background and the state’s diverse population, some Californians hoped that the new Governor would show a special interest in policy issues facing immigrants. With almost two-thirds of Asian Americans in California born abroad, and even more hailing from households with immigrant family members, the challenges facing immigrants are integral to the Asian American experience.

However, Governor Schwarzenegger revealed no tangible interest in immigrant issues during his first year in office. He vetoed a modest proposal to hold state agencies more accountable to complying with California’s existing language access law. That bill, AB 2408 (Yee) garnered bi-partisan support in the Legislature and imposed no new costs on the state. Schwarzenegger, a former advisory board member of the English-only group, *U.S. English*, and his policy staff showed little interest in ensuring that government programs and services are accessible to the one in five Californians who are not proficient in English.

The California Performance Review, which the Governor has hailed as a blueprint for making government in California more “customer friendly,” makes virtually no mention of immigrants or Asian Americans. A search of this voluminous document turns up “immigrant” only once, and that is in passing reference to the state’s diverse demographic make-up. The only mention of Asian Americans in the California Performance Review is in a proposal to eliminate the state’s Commission on Asian and Pacific Islander Affairs. Immigrants and their policy issues were simply not on the radar screen of this Governor in 2004.

Of the ten bills sent to his desk that were included in our Report Card, Governor Schwarzenegger signed just four, and vetoed six, giving him a disappointing 40 percent rating for his first year in office.

GOVERNOR SCORES 40 PERCENT

BILL	AUTHOR	SUBJECT	SIGNED	VETOED
SB 1234	Kuehl	Protections Against Hate Crimes	✓	
AB 1895	Nation	Immigration Assistance to Foster Children		✗
AB 2189	Chu	Protections Against Immigration Consultant Fraud		✗
AB 2275	Dymally	Public Sector Equal Employment Opportunity		✗
AB 2288	Pacheco	Protections Against Hate Crimes	✓	
AB 2387	Firebaugh	Diversity in College and University Admissions		✗
AB 2408	Yee	Access to Government for Limited English Speakers		✗
AB 2428	Chu	Protections Against Hate Crimes	✓	
AB 2512	J. Horton	Contributions of Filipino WWII Veterans		✗
AB 2691	Correa and Vargas	Protections Against Immigration Consultant Fraud	✓	

LEGISLATIVE VOTING RECORDS: THE BEST, WORST, AND MOST IMPROVED

Once again, a number of legislators achieved a 100 percent rating in our Report Card. Democrats averaged 98.3 percent in the Assembly and 93.2 percent in the Senate. Republicans averaged 54.1 percent in the Assembly, over 20 percentage points higher than the dismal record of their colleagues in the Senate, who averaged just 30.9 percent. This year, several members showed dramatic improvement in their ratings.

THE PERFECT SCORES (100 Percent)

Senate	Richard Alarcón (D-Sun Valley)	Joseph Dunn (D-Santa Ana)	Gloria Romero (D-Los Angeles)
	John Burton (D-San Francisco)	Liz Figueroa (D-Sunol)	Byron Sher (D-Stanford)
	Gil Cedillo (D-Los Angeles)	Sheila James Kuehl (D-Santa Monica)	Nell Soto (D-Pomona)
	Wesley Chesbro (D-Arcata)	Kevin Murray (D-Los Angeles)	
Assembly	Patty Berg (D-Eureka)	Jerome Horton (D-Inglewood)	Fabian Núñez (D-Los Angeles)
	Ronald Calderon (D-Montebello)	Hannah-Beth Jackson (D-Santa Barbara)	Jenny Oropeza (D-Long Beach)
	Wilma Chan (D-Oakland)	Christine Kehoe (D-San Diego)	Fran Pavley (D-Agoura Hills)
	Judy Chu (D-Monterey Park)	John Laird (D-Santa Cruz)	Mark Ridley-Thomas (D-Los Angeles)
	Rebecca Cohn (D-Saratoga)	Lloyd Levine (D-Van Nuys)	Simon Salinas (D-Salinas)
	Ellen Corbett (D-San Leandro)	Sally Lieber (D-Mountain View)	Joseph Simitian (D-Palo Alto)
	Lou Correa (D-Santa Ana)	Carol Liu (D-La Canada Flintridge)	Darrell Steinberg (D-Sacramento)
	Manny Diaz (D-San Jose)	John Longville (D-San Bernardino)	Juan Vargas (D-San Diego)
	John Dutra (D-Fremont)	Alan Lowenthal (D-Long Beach)	Herb Wesson (D-Culver City)
	Mervyn Dymally (D-Compton)	Cindy Montañez (D-San Fernando)	Patricia Wiggins (D-Santa Rosa)
	Marco Firebaugh (D-East Los Angeles)	George Nakano (D-Torrance)	Lois Wolk (D-Davis)
	Dario Frommer (D-Los Angeles)	Joe Nation (D-San Rafael)	Leland Yee (D-San Francisco)
	Loni Hancock (D-Berkeley)	Gloria Negrete-McLeod (D-Chino)	

THE LOWEST SCORES (Below 35 Percent)

Senate	Sam Aanestad (R-Grass Valley)	Jeffrey Denham (R-Salinas)	Bob Margett (R-Arcadia)
	Dick Ackerman (R-Irvine)	Dennis Hollingsworth (R-Murietta)	Bill Morrow (R-Oceanside)
	Jim Battin (R-La Quinta)	Ross Johnson (R-Irvine)	Rico Oller (R-San Andreas)
	James Brulte (R-Rancho Cucamonga)	Tom McClintock (R-Thousand Oaks)	Charles Pochigian (R-Fresno)
Assembly	John Campbell (R-Irvine)		

THE BIGGEST CHANGES

In 2004, several legislators showed dramatic improvement over the previous year in their support of legislation important to APA communities.

SHIRLEY HORTON (R-Chula Vista): Most Improved, 92 Percent. Assembly Member Horton, one of two Asian American Republicans in the Legislature, scored a very strong 92 percent in our 2004 Report Card. This year marked the second of Ms. Horton's first term in office. In her first year, Ms. Horton did not stand out from the pack, scoring just 43 percent in 2003, about average for Assembly Republicans. In 2004, she leaped almost 50 points, bringing her close to a perfect rating. Assembly Member Horton represents one of the few competitive Assembly districts, near San Diego, in the state, and 2004 was an election year. Over 17 percent of her constituency is Asian American. She proved to be a reliable supporter of APA issues in 2004. She has been re-elected to a second term in the Assembly.

BONNIE GARCIA (R-Cathedral City): 85 Percent. Once again, Assembly Member Garcia, one of three Latino Republicans in the Legislature, demonstrated that she marches to her own tune when it comes to immigrant issues. Representing a heavily Latino and immigrant constituency along the state's Southern border with Mexico, Ms. Garcia scored higher than the average of her Republican colleagues in the Legislature for the second year in a row. In 2003, she received a 50 percent rating. She improved that score by 35 points in 2004, achieving a respectable 85 percent. Ms. Garcia has been re-elected to a second term in the Assembly.

ABEL MALDONADO (R-Santa Maria): 77 Percent. In 2004, Assembly Member Maldonado, one of three Latino Republicans in the Legislature, joined the ranks of those who went from failing to passing scores, achieving a 77 percent rating and improving over 30 points on his 43 percent rating in 2003. Mr. Maldonado represented an Assembly district with a large Latino constituency, including many farmworkers. He has shown an increasing responsiveness to the issues facing immigrants in the state. In 2004, Mr. Maldonado was elected to the State Senate, where he will replace termed-out Senator Bruce McPherson in the 15th Senate district.

KEITH RICHMAN (R-Northridge): 77 Percent. Assembly Member Richman, widely regarded as a moderate in the Legislature, also scored 77 percent, improving on his 2003 score of 43 percent. Mr. Richman has been re-elected to serve in the Assembly, representing a district just north of Los Angeles.

THE LEGISLATION

Following is a description of each bill and resolution in this Report Card, and an explanation of the policy significance to California's Asian and Pacific Americans.

SENATE BILL

SB 1234 (Kuehl) – SIGNED BY GOVERNOR — reforms state hate crimes laws to create a standard definition of hate crimes across statutes, increase training of peace officers on identifying and reporting hate crimes, and expand civil-rights related training for hate crime perpetrators, among other issues.

In recent years, Asian Americans have experienced some of the most violent bias-motivated crimes in California. Higher profile incidents, widely reported in the media, include fatal shootings, stabbings, battery, and arson. Innumerable acts of intimidation, particularly after September 11, have gone unreported. By creating new training materials for law enforcement and perpetrators alike, Senator Sheila Kuehl's bill promises to improve awareness of the biases that motivate crimes of hate and to enhance the ability of law enforcement authorities to accurately identify and gather evidence related to these biases in the prosecution of hate crimes.

ASSEMBLY BILLS

AB 1895 (Nation) – VETOED BY GOVERNOR — requires that non-citizen children in foster care be provided with an immigration attorney or certified immigration specialist, when counties do not already provide immigration-related assistance to these children.

Hundreds of non-citizen children, many of whom are abused or abandoned, are taken into custody annually by county authorities throughout California. Some go to foster homes, or await adoption. Others sit in county detention facilities. Without the benefit of immigration-related assistance, their immigration status remains unresolved or uncertain and they can be subject to deportation. Often, they face language and cultural barriers that make their situation even more precarious. Assembly Member Joe Nation's bill would have required that counties provide these kids with appropriate immigration counsel and representation.

AB 2189 (Chu) – VETOED BY GOVERNOR — strengthens protections against immigration consultant fraud by providing local prosecutors with critical information about immigration consultants' compliance with state bond security requirements.

Assembly Member Judy Chu was inspired to tackle immigration consultant fraud after seeing vulnerable immigrants bilked out of thousands of dollars spent on consultants making false promises or representations about their immigration status. Current state law requires that immigration consultants maintain corporate surety bonds that would afford consumers the ability to recover damages from a consultant in the event of fraud. While the law requires that bonding companies notify the Secretary of State's office when the bond expires or is cancelled, local district attorneys' offices, with the power to enforce the law, often do not know if a bond has expired or has been cancelled until a victim comes forward. AB 2189 promised to protect against fraud by giving local law enforcement information necessary to go after immigration consultants who do not comply with the law.

AB 2275 (Dymally) – VETOED BY GOVERNOR — clarifies that state agencies can and should maintain equal employment opportunity programs in a constitutionally permissible manner following the passage of Proposition 209, which prohibited certain affirmative action activities.

California has long maintained data on its state workforce in an effort to monitor and address discrimination. Asian American state employees and civil rights groups have used this data to gain fair representation in the management ranks of state agencies. Following the passage of Proposition 209, certain pro-active activities to combat discrimination were constitutionally prohibited, but other tools to promote equal opportunity in the government workplace, including data collection and reporting, remain intact. Assembly Member Mervyn Dymally's bill would have clarified that equal employment opportunity should remain a goal of state government and that constitutionally permissible activities to promote this mission should continue. The bill would also have defined better the State Personnel Board's role in monitoring and ensuring that the employment practices of state agencies are consistent with federal and state workplace anti-discrimination requirements.

AB 2288 (Pacheco) – SIGNED BY GOVERNOR — strengthens hate crime protections by lowering the threshold amount of damage in the commission of a “hate-motivated” crime against the property of another person from \$500 to \$400.

This amendment to existing law restores equity in the prosecution of vandalism. By lowering the monetary damage threshold of bias-motivated vandalism as a felony, AB 2288 brings the definition of this hate crime in line with the threshold for felony prosecution of general vandalism to property in California.

AB 2387 (Firebaugh) – VETOED BY GOVERNOR — authorizes the University of California and the California State University to consider culture, race, ethnicity, gender, national origin, geographic origin, and household income, along with other relevant factors, in undergraduate and graduate admissions under certain limited conditions.

Since the passage of Proposition 209, which amended the state Constitution to prohibit certain affirmative action related activities, there has been some confusion and inconsistency in how state higher education institutions promote diversity in the classroom. With AB 2387, Assembly Member Marco Firebaugh sought to define how these institutions could continue to consider diversity indicators in college admissions without violating the state Constitution, and in line with a recent U.S. Supreme Court decision. The bill would have clarified that these demographic indicators could not be the deciding factors in admissions. The state Legislative Counsel's office determined that AB 2387 would be constitutionally permissible because it did not allow for preferences.

AB 2408 (Yee) – VETOED BY GOVERNOR — clarifies existing state bilingual staffing requirements of the Dymally-Alatorre Bilingual Services Act (Government Code sections 7290 et seq.) and ensures that state agencies are held accountable in complying with existing state law.

Despite a longstanding state law that requires state agencies to ensure that they have sufficient numbers of bilingual staff to meet the needs of the limited-English proficient communities they serve, many agencies have significant bilingual staffing deficiencies. As a result, children often take on the adult roles of interpreters for their parents when interacting with government agencies. When no means of bilingual communication are available, LEP individuals are simply unable to communicate with agency personnel, with dire, sometimes fatal, consequences. Assembly Member Leland Yee's bill sought to clarify the hiring requirements of the state's language access law, and require that agencies report to the State Personnel Board when they do not appropriately address their bilingual staffing deficiencies. This modest approach to remedying persistent non-compliance with state law imposed no new cost to the state.

AB 2428 (Chu) – SIGNED BY GOVERNOR — strengthens protections for hate crime victims and their families by providing for a criminal protective order to restrict perpetrator communication and contact with victims upon release from state custody, and enhances the state's ability to rehabilitate hate crime perpetrators with the option of appropriate sensitivity training.

The impetus of this bill, dubbed “Kenny's Law,” was a horrific hate crime in which 17-year old Taiwanese American Kenny Chiu was fatally stabbed over 25 times in the backyard of his Southern California home by a neighbor who was an avowed white supremacist. The perpetrator was convicted by a jury, but then found not guilty by reason of insanity by the judge in the case. Assembly Member Judy Chu's bill provides some measure of comfort and security to hate crime victims and their families when faced with the uncertain prospect of release of a perpetrator from state custody, including state mental institutions.

AB 2512 (J. Horton) – VETOED BY GOVERNOR — encourages social studies instruction on the role of Filipinos in World War II. Over one-hundred thousand Filipino soldiers fought with U.S. forces during that war.

California is home to almost half of the nation’s Filipino Americans. Numbering over 1.1 million, Filipinos make up approximately 3 percent of the state population. Yet little or nothing is taught in our schools about the contributions of over one-hundred thousand Filipino veterans to the United States during World War II. This relationship cemented the strong ties of the two countries and contributed to the significant migration of Filipinos to California. Assembly Member Jerome Horton’s bill would simply have urged schools to include instruction about the heroic role of Filipino veterans during World War II in social studies curriculum, without imposing a mandate or new fiscal costs on the state.

AB 2691 (Correa and Vargas) – SIGNED BY GOVERNOR — increases the availability of damages in the event of immigration consultant fraud by expanding the amount of security filed by practicing immigration consultants in the form of bonds.

One of several bills introduced in 2004 to address immigration consultant fraud, Assembly Members Lou Correa and Juan Vargas’ bill requires a corporation, partnership, or other entity to file a separate bond (\$50,000 per individual) for each director, officer, employee, or agent of that entity who is acting in the capacity of an immigration consultant. Current law only requires a minimum \$50,000 bond for the entire entity. The bill also increases consumer information about immigration consultants by requiring a consultant to file more information, including a copy of valid photo identification, at the time the bond is filed with the Secretary of State.

ASSEMBLY RESOLUTIONS (No Action by Governor Required)

AJR 60 (Lieber and Leno) — urged the President and the Congress of the United States to adopt the federal Permanent Partners Immigration Act of 2003, which sought to expand the rights of immigrant gays and lesbians.

Introduced by Rep. Jerrold Nadler (D-NY) in the U.S. Congress, the Permanent Partners Immigration Act of 2003 (H.R. 638), would add the phrase "or permanent partner" to sections of immigration law that provide immigration rights to legally married couples, and would allow gay and lesbian citizens to sponsor their partners as United States residents. Fifteen countries already recognize same-sex couples for immigration purposes. The bill was last referred to a House policy committee, but never received a hearing. Assembly Members Sally Lieber and Mark Leno sought to spur Congress to act on this bill by introducing AJR 60 in the California Legislature.

AJR 64 (Chu) — condemns bigotry and violence against Arab, South Asian, Muslim, and Sikh Americans, and urges local law enforcement authorities to vigorously prosecute such bias-motivated crimes.

A response to the alarming spike in attacks against vulnerable communities after September 11, Assembly Member Judy Chu’s resolution presented an important affirmation to the millions of Arab, South Asian, Muslim, and Sikh Americans who call California their home. The resolution was crafted by the Council on American-Islamic Relations and supported by a number of community and civil rights groups around the state. It represented an important awareness by the Legislature of emerging communities that are in many ways finding their political and public policy voice following the aftermath of the September 11 tragedy.

ACR 67 (Bermúdez) — designates and authorizes highway signage to mark the Pioneer Boulevard exits on California State Highway Route 91 as the defined route to “Little India” in the City of Artesia, California.

Located just south of Los Angeles, Artesia has become a hub of commerce for Indian Americans and others seeking Indian food and wares in Southern California. This seemingly innocuous issue generated controversy because some local Artesia merchants opposed the resolution on the ground that it would promote Indian American merchants in the city over other businesses and foster disharmony in a diverse community. The resolution was supported by the local Indian American community and Indian American merchants. Similar signage already exists to designate other ethnic business enclaves such as Chinatown, Little Tokyo, Koreatown, and Little Armenia in other parts of Southern California. The highway signage will be paid for by private funds.

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