

Meeting Date: Thursday, April 23, 2020

Time: 9:32 AM – 10:29 AM

Location: Conference Call

**MINUTES**

2019/2020 County Clerk Legislative Committee Members

|  |  |  |  |
| --- | --- | --- | --- |
| Candace Grubbs, Butte | X | Joani Finwall/Melissa Garcia, San Bernardino | T/T |
| Elizabeth Gutierrez, Contra Costa | T | Val Wood, San Diego | T |
| Brandon Hill, Fresno | X | Teresa Williamson, San Joaquin | X |
| Chuck Storey/Victoria Wong, Imperial | X/X | Joe Holland/Danielle Rifilato/Melinda Greene, Santa Barbara | X/X/X |
| Kammi Foote, Inyo | X | Gina Alcomendras/Louis Chiaramonte/Belinda Gamutan, Santa Clara | X/T/T |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | T/T/T | Deva Proto/Carrie Anderson/Amanda King, Sonoma | T/X/T |
| Erik Karhu, Riverside | T | David Valenzuela/Sheila Jetton, Ventura | X/X |
| Donna Allred/Andrew Graham, Sacramento | T/T |  |  |

(**T** – Teleconference; **X** – Not on call)

1. **Call to Order**

Meeting started at 9:32 AM

1. **Roll call**
2. **Also attending:**

|  |  |
| --- | --- |
| ***Attendee*** | ***County*** |
| Jenavive Herrington | Butte |
| Janelle Horne/Catrina Christensen | El Dorado |
| Rosa Padilla | Kern |
| Marcy Harrison | Lake |
| Jodi Olsen/Olga Lobato | Marin |
| Barbara Levey/Matt May/Patricia Houbein/Nicole Bettencourt/Philip Robinson | Merced |
| Fred Garcia | Placer |
| Lisa Anderson/Peter Aldana | Riverside |
| Daniel Sanchez | San Bernardino |
| Nicole Barber/Luis Pedraza/Diana Moore/David Gonzalez | San Diego |
| Diane Rea/Guillermo Sandoval | San Francisco |
| Harjeet Kumar/Phaivann Prum | Stanislaus |
| Jennifer Vise | Tehama |

1. **Approval of March 2020 Minutes**

Motion to approve: Monique Blakely, Los Angeles Second: Elizabeth Gutierrez, Contra Costa. Minutes were approved.

1. **Legislative Advocate Update – Matt Siverling**

Legislature essentially has not returned to session since out last meeting in March. Both budget committees have come back together to try and put together some semblance of a budget. With the State budget due in mid-June. The Assembly came together first, they permitted public into the building since the constitution, there is a plan to hold the meeting with half of the attendees via video conference.

Since the Legislature originally announced they were targeting to reconvene on April 13, that date has passed, and a new date has been set further out as May 4th which is quickly approaching. The President, Governor, and local leaders have taken action to put aside the month of May for any work. The speaker of the Assembly and Pro Tem of the Senate are still proceeding as if we will be back at work on May 4th. There is a huge set of rules on how this will work. Trying to limit each committee in each house to only have one committee hearing for house of origin bills and one committee hearing for any bill that comes across from. Only holding committee hearings in rooms that can accommodate social distancing which are the large auditorium rooms. Rumor that they will hold committee hearings on the chamber floor which would be historic. Only one place for each house which is the large auditorium rooms.

There is also a rumor that they may move the floor session itself to Memorial Stadium which is a larger space that will accommodate social distancing and allow legislators to enter and exit from different doors. The Senate is very strict, they put out a directive to limit scope to bills that deal with the pandemic, wildfires, and homelessness. The Assembly is less restrictive, speaker is willing to leave this up to the chairs working on what is needed and essential right now. There has been a mad scramble to amend or relate their bills to be COVID 19 related. There are questions on the process going forward, there has been discussion of a constitutional argument between the Senate and Assemble for voting remotely. There will be some State Budget issues, any proposal to add spending have been thrown out. In order to meet the June 15th deadline, it will likely be a skeletal budget to keep the lights on with another budget with more cuts based on the reduced revenue collected likely by cutting programs.

The only item we should be keeping an eye on is the pending executive orders regarding remote marriage and remote notarization.

1. **Bill Review**

There have been no changes and there were no updates on bills that are being tracked.

1. **Legislative Proposals**

Donna Allred reported that there is a huge dilemma for County Clerks right now due to the Corona Virus with issuing marriage licenses. Some counties have figured out creative ways to continue to issue behind plexiglass.

Riverside County has worked very hard on an emergency executive order to present to the Governor. Lisa Anderson added that Riverside has been thinking of a way to issue marriage licenses remotely and she thanked Peter Aldana for his diligence in working on the draft executive order with directives that were proposed. The draft of the executive order would propose addressing the marriage license application process, issuance of the marriage license, and the performance of the ceremony. The goal is to first address the couples that were issued a license. Would allow them to get a new license without a fee after it expired. Would be permissive depending on the County and require them to complete an affidavit. The marriage applications could be submitted electronically or using remote services. The executive order would exclude minor marriages from this process. Counties would be encouraged to save videos from the customer interview/issuance process.

There was discussion regarding the increased risk of fraud and concerns regarding having to mail the original license to multiple people: the couple, the officiant, and witness. It was suggested that counties could specify that the license and ceremony would have to be done all at one time through their office. This could limit the need to mail to the officiant and the witness could be provided by our own offices. There was also discussion regarding allowing for online verification, similar to what is used for vital records already, as a secondary check along with couple presenting acceptable photo identification There are several legal questions that may need to be addressed. There are some counties that do not have remote telecommunications capabilities.

The Stay at Home Order may last longer than expected. We are all working to serve the public in the best way possible. Peter Aldana said he hopes we can temporarily assist people with getting through this. There was discussion of waiving fees to issue a duplicate license with the previous information. We will need to work on the language of how this would look.

Lisa Andersen will work on updating the language for the order and then will send out for review. A special meeting will need to be called so that the committee members can vote on the proposal.

1. **CRAC - Crossover Legislation**

There is no crossover legislation at this time

1. **For the good of the order**

Jaime Pailma from Los Angeles County mentioned electronically signed Fictitious Business Name Filings coming in through the mail. Also documents that were notarized using remote online notarization (RON) printed to paper and submitted by mail.

1. **Adjourned**

Meeting ended at 10:29 AM