

File No. 241026

Committee Item No. \_\_\_\_\_

Board Item No. 33

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: October 22, 2024

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

- Proposition 6 Text \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Prepared by: Lisa Lew

Date: October 18, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Supporting California State Proposition 6 on November 2024 Ballot]

2  
3 **Resolution supporting Proposition 6 to amend Article 1, Section 6, of the California**  
4 **Constitution to remove the exception clause permitting involuntary servitude as**  
5 **punishment for a crime, effectively ending all legal vestiges of slavery in the state.**  
6

7 WHEREAS, Article 1, Section 6 of the California Constitution currently states that  
8 "slavery is prohibited" with the exception that "involuntary servitude as a punishment for  
9 crime" may still be practiced; and

10 WHEREAS, The exception clause permits the continued exploitation of labor from  
11 incarcerated individuals, which disproportionately impacts people of color, particularly Black  
12 and Indigenous communities, and perpetuates systemic racial inequalities; and

13 WHEREAS, Forced labor under the guise of punishment for crime is a vestige of  
14 slavery, a system that the United States Constitution's 13th Amendment sought to abolish, yet  
15 left this harmful exception intact, effectively allowing slavery by another name; and

16 WHEREAS, California is currently one of only 16 states that still retains this exception  
17 in its constitution, perpetuating a practice that should have been eradicated with the abolition  
18 of slavery; and

19 WHEREAS, Proposition 6 seeks to amend Article 1, Section 6 of the California  
20 Constitution to remove the exception clause, fully prohibiting slavery and involuntary servitude  
21 under any circumstances, thereby reaffirming California's commitment to human rights and  
22 dignity; and

23 WHEREAS, The passage of Proposition 6 aligns with the principles of justice and  
24 fairness, ensuring that no individual, regardless of their legal status, can be subjected to  
25 involuntary servitude as a means of punishment; and

1           WHEREAS, Ending this exception would set a national example, showing that  
2 California stands firmly against all forms of slavery and upholds the fundamental belief in  
3 equality and freedom for all; and

4           WHEREAS, Proposition 6 will enable incarcerated people to prioritize their  
5 rehabilitation so they can work jobs and shifts that enable them to access education,  
6 counseling, and other rehabilitative programs, including Alcoholics Anonymous and Narcotics  
7 Anonymous, that facilitate growth and make people less likely to re-offend upon their release;  
8 and

9           WHEREAS, Evidence shows that the more people are rehabilitated, the less likely they  
10 are to suffer from homelessness and re-offend, avoiding costs for re-incarceration; these  
11 savings can be reallocated to community programs, investments in mental health programs,  
12 education, and other public services, improving the well-being of all Californians while saving  
13 taxpayers money; and

14           WHEREAS, A broad coalition of civil rights organizations, faith leaders, labor unions,  
15 legal experts, and formerly incarcerated individuals have voiced their strong support for  
16 Proposition 6 and the removal of the slavery exception from California’s Constitution; and

17           WHEREAS, The Board of Supervisors recognizes the importance of historical  
18 accountability and the responsibility to dismantle the legacies of systemic injustice embedded  
19 in our state and nation’s legal framework; now, therefore, be it

20           RESOLVED, That the San Francisco Board of Supervisors hereby declares its support  
21 for Proposition 6, which amends Article 1, Section 6 of the California Constitution to remove  
22 the exception clause permitting involuntary servitude as punishment for a crime, effectively  
23 ending all legal vestiges of slavery in the state; and, be it

24           FURTHER RESOLVED, That the Board of Supervisors directs the Clerk to send copies  
25 of this Resolution to the Governor of California, the Speaker of the California Assembly, the

1 President pro Tempore of the California State Senate, and other appropriate state and local  
2 officials to advocate for the passage of Proposition 6.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Third—In the event that this measure and another measure or measures relating to state or local requirements for the imposition, adoption, creation, or establishment of taxes, charges, and other revenue measures shall appear on the same statewide election ballot, the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

### PROPOSITION 6

This amendment proposed by Assembly Constitutional Amendment 8 of the 2023–2024 Regular Session (Resolution Chapter 133, Statutes of 2024) expressly amends the California Constitution by amending a section thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

#### PROPOSED AMENDMENT TO ARTICLE I

That Section 6 of Article I thereof is amended to read:

SEC. 6. *(a) Slavery is prohibited. Involuntary servitude is prohibited except to punish crime: and involuntary servitude are prohibited.*

*(b) The Department of Corrections and Rehabilitation shall not discipline any incarcerated person for refusing a work assignment.*

*(c) Nothing in this section shall prohibit the Department of Corrections and Rehabilitation from awarding credits to an incarcerated person who voluntarily accepts a work assignment.*

*(d) Amendments made to this section by the measure adding this subdivision shall become operative on January 1, 2025.*

### PROPOSITION 32

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends a section of the Labor Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

#### PROPOSED LAW

##### THE LIVING WAGE ACT OF 2022

SECTION 1. Name.

This act shall be known as the Living Wage Act of 2022.

SEC. 2. Findings and Purpose.

The people of California find and declare that:

(a) The purpose of the Living Wage Act of 2022 (“the act”) is to ensure that workers receive wages that will financially support them and their families.

(b) To achieve this purpose, the Living Wage Act of 2022 will increase the California minimum wage to \$18 per hour by 2025 and in each year thereafter the minimum wage will be adjusted to keep pace with the cost of living in California.

(c) For more than 12 years, the federal minimum wage has been stuck at \$7.25. If it had increased at the rate of productivity growth since 1960, it would be \$24 right now.

(d) Many working Californians, including essential workers, parents and seniors, have full-time jobs yet struggle to make ends meet. The minimum wage has not kept pace with the cost of living and is worth less today than it was 50 years ago.

(e) California currently has the eighth highest income inequality among all 50 U.S. states and Washington, D.C., which is forcing many working households into poverty.

(f) The most recent available data, which does not include the effects of COVID-19, shows that more than 6.3 million Californians lack enough resources to meet their basic needs. More than a third of Californians are living in or near poverty. The large majority of California’s low-wage workers are adults, not teens. The average age for low-wage workers is 36, compared to 40 for all workers. Forty-six percent of low-wage workers have children, and 40 percent are married. Californians cannot support a family on the current minimum wage of \$15 per hour, or \$31,200 per year, for people working full time.

(g) Despite being employed full time, Californians who are paid the current minimum wage often must rely on the state’s social safety net to meet their basic needs. Californians’ wages are not keeping up with inflation or our state’s rising cost of living. Research finds that a single parent living in California with two children would need to make \$50 per hour to get by, but our state’s minimum wage is only \$15 per hour.

(h) The purchasing power of the minimum wage will continue to erode if it is not adjusted yearly to reflect increases in the cost of living.

(i) Raising the minimum wage will increase the earnings of many Medi-Cal recipients, making them eligible for federal subsidies on California’s health benefit exchange, saving the state millions of dollars a year in Medi-Cal costs.

(j) Californians working in a wide variety of jobs and industries are paid the minimum wage, and it is the goal of this act to protect all such workers, regardless of whether they are employed by single, multiple, or joint employers.

(k) Income inequality, a growing population of working poor, and wage stagnation in California create strong justification for boosting income support for working households struggling to meet basic needs.

5

6

32

## Introduction Form

*(by a Member of the Board of Supervisors or the Mayor)*



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor  inquires..."
- 5. City Attorney Request
- 6. Call File No.  from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission       Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

*(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)*

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: