

RESOLUTION NO. 220352

R. 78-1583  
(REV.)

BE IT RESOLVED, by the Council of The City of San Diego,  
as follows:

FEB 22 1978

That the City Manager and Personnel Director be and they are hereby authorized to notify the State of California Department of Benefit Payments and the District of Columbia Office of Manpower that The City of San Diego wishes to select the individual reimbursement account method of financing the federally mandated, State administered Unemployment Insurance Compensation Program and apply for an Employer Account Number.

BE IT FURTHER RESOLVED, that The City of San Diego hereby files, with its selection regarding the individual reimbursement account method pursuant to Assembly Bill 644, its protest to the enforcement of those provisions of the unemployment compensation laws of this State which require this jurisdiction to pay the costs of Federally mandated unemployment compensation for its employees.

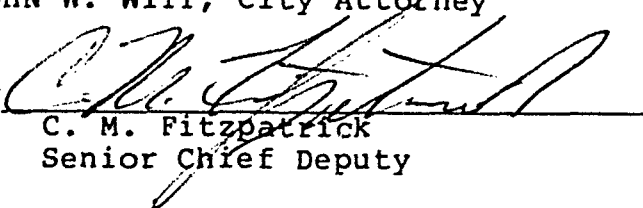
BE IT FURTHER RESOLVED, that it is the official position of The City of San Diego that these State law provisions, as referenced above, were unconstitutionally mandated by the Federal Government's enactment and enforcement of the Unemployment Compensation Amendments of 1976, Public Law No. 94-566. As a party plaintiff in County of Los Angeles v. Marshall, Civil Action No. 77-2023 (D.D.C.) (filed November 28, 1977), The City of San Diego fully supports the concentrated efforts of the 1,530 State and local government plaintiffs in this litigation who seek a judicial declaration that the Federal Government cannot constitutionally mandate, coerce or in any way compel the States of

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these United States to force local governments to pay unemployment compensation to their employees. The City of San Diego's participation in this State's unemployment compensation program is involuntary and attributable solely to the sanctions imposed under Public Law No. 94-566.

APPROVED: JOHN W. WITT, City Attorney

By



C. M. Fitzpatrick  
Senior Chief Deputy

CMF:vl:356

2/17/78

Or. Dept.: Mgr./Per.

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Passed and adopted by the Council of The City of San Diego on  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Allyn D. Newitt, Deputy.

CITY OF SAN DIEGO  
1978 FEB 21 AM 9:44  
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number 220352 Adopted FEB 22 1978

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