

## Labor Laws Asked To Aid Nation's Farm Workers

In the course of its recent mid-winter meeting in Bal Harbor Florida the AFL-CIO Executive Council said the AFL-CIO "will continue to strongly oppose the importation of foreign farm laborers and urged Congress:

1. — To provide farm workers with adequate federal minimum wage, maximum hour and child labor protections.
2. — To end the unjustifiable exclusion of farm workers from the protection of the National Labor Relations Act.
3. — To establish a national farm labor recruitment program through enactment of a Voluntary Recruitment Act.
4. — To provide additional help for agricultural workers by enacting special measures to improve educational opportunities, housing, health and other conditions under which they work and live.

In addition the Council urged that administration bills to reform the nation's immigration law be amended to prohibit the temporary importation of foreign farm workers.

Such an amendment would mark a significant step toward requiring the nation's agribusiness interests to pay U. S. wages for U. S. produce.

## AFL-CIO Calls for Action on Broad Front To Assure 'Jobs at Good Wages for All'

**Repeal Section 14(b)—Enact Medicare—Escalate the War on Poverty—Assure voting rights to all citizens—Update the Fair Labor Standards Act—Authorize federal aid for education—Pass truth-in-lending and truth-in-packaging bills—Strengthen the U.S. Merchant Marine—Set minimum standards for unemployment insurance—Expand public works programs.**

## Big Vote Turnout Urged For Halpin

The California Labor Council on Political Education this week confirmed its unqualified endorsement of Jack Halpin for the office of State Senator in the Fifth District encompassing Shasta and Trinity Counties.

Thos. L. Pitts pointed out that voter apathy in this special election would probably be extremely serious and urged all segments of the labor movement to work together to turn out the biggest vote possible.

"Even though Jack Halpin won the primary handily," Pitts warned, "he faces an uphill battle in the general election on March 16 because too many voters seem to think he won the race in the primary last month."



**THOS. L. PITTS**  
Executive  
Secretary-Treasurer

# Weekly News Letter

Vol. 7 — No. 11  
March 12, 1965

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Second Class Postage Paid at San Francisco, California

Published by California Labor Federation, AFL-CIO  
995 Market Street, San Francisco, California 94103  
Subscription: \$3.50 a year

## Senate Unit Action Slashing DI Benefits Hit as 'Pennywise and Pound Foolish'

"Slashing disability insurance benefits for a quarter of a million workers in need instead of endorsing a solution to the State Disability Fund's solvency problem that would cost employees at most only 26 cents a week this year and 11 cents a week thereafter is pennywise and pound foolish," state AFL-CIO leader Thos. L. Pitts declared this week.

Action taken Monday on AB 241 by the Senate Insurance and Financial Institutions Committee, Pitts warned, would cut benefits for more than 40 per cent of all present beneficiaries of the employee-financed insurance program for off-the-job injuries and illnesses.

Moreover, its impact would fall heavily on building tradesmen, log-  
(Continued on Page 2)

## Wirtz OK of Use Of Foreign Farm Workers Rapped

The U. S. Labor Department's authorization this week of the use of foreign workers for farm work in California has evoked a strong protest from the state AFL-CIO.

In a wire dispatched to members of California's congressional delegation who were scheduled to meet with U. S. Secretary of Labor W. Willard Wirtz late Tuesday afternoon, Thos. L. Pitts, secretary-treasurer of the California Labor Federation, AFL-CIO, urged the state's representatives to lodge a "vehement protest against the March 7 authorization of 600 Japanese Nationals for Ventura lemon growers."

Referring to the authorization as an "opening break in the dike," Pitts quoted sections from a letter Wirtz sent to Governor Brown last Sunday (March 7)—the same day he authorized the use of the foreign workers—which clearly indicates a lack of justification for using foreign workers.

Pitts' wire, sent to Reps. Jeffery Co-helan, Edward R. Roybal and W. Don-lon Edwards, said:

"Urge your vehement protest against March 7 authorization of 600 Japanese Nationals for Ventura lemon growers as opening break in the dike. On same day, Wirtz' letter to Governor Brown conceded agricultural wages are 'way below those for work of comparable difficulty in other industries'; that there are 'far too many confirmed reports of clear opposition

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# *Our Workmen's Compensation Program Sorely Needs Updating*

## **1965 Legislative Fact Sheet No. 4**

**AB 1227—Foran—Committee on Finance and Insurance  
Assemblyman George N. Zenovich, Chairman**

Workman's compensation is California's oldest income insurance program. The California Legislature instituted this protection for workers injured on the job 54 years ago to provide income insurance equal to two-thirds of such worker's lost capacity to earn wages.

But the injured worker's compensation for lost earning capacity has been slashed over the years to a level of less than even minimum needs. In short, workman's compensation no longer replaces a substantial share of the injured worker's lost income.

The California Labor Federation's program calls for:

1. Full coverage of all workers who suffer job-connected injuries.
2. Full medical coverage for injured persons including the right to select their own physician, and benefits during physical rehabilitation and vocational retraining.
3. Adequate income insurance benefits for both temporarily and the permanently disabled employees as well as benefits for their widows and dependent survivors.
4. An impartial administration to make sure injured workers get the benefits due them.

These needed reforms are incorporated in AB 1227. Here's what AB 1227 would do.

### **REHABILITATION**

Two World Wars have dramatically demonstrated what physical rehabilitation and vocational rehabilitation can do for injured people. Seventeen states already provide special maintenance benefits during rehabilitation. If injured workers are to be encouraged to accept rehabilitation, they must receive compensation to help cover their additional expenses during the rehabilitation period.

AB 1227 would provide injured workers with rehabilitation benefits equal to the benefits they would get for temporary disabilities. This would be in addition to compensation for their permanent physical loss.

### **BENEFIT INCREASES**

When workman's compensation laws were first enacted, benefits were designed to replace at least two-thirds of

lost wages. Today, the average weekly wage in covered employment in workman's compensation in California is \$123.48 per week. Since the maximum benefit for the temporarily disabled is \$70 a week, the injured worker receiving the average weekly wage gets only 57.5 per cent of his lost wages. However, because of the one week waiting period, a worker temporarily injured for three weeks would get a benefit equal to only 38 percent of his lost wages. Obviously, those who make more than the average weekly wage get an even smaller percentage of their lost income when temporarily disabled.

Since the maximum weekly benefit for permanent disability is \$52.50, the injured worker receiving an average weekly wage presently recovers less than 43 percent of his lost wages.

AB 1227 would raise benefits to restore to injured California workers approximately 61¾ percent of their average weekly wage.

At present, injured California workers who are not hospitalized receive no benefits for the first week of injury unless the disability continues for 49 days. AB 1227 would provide benefits for the first week of disability when the disability continues beyond 7 days.

### **TEMPORARY DISABILITY**

A temporary disability is an injury which leaves no permanent physical impairment. Such injuries constitute the great majority of workman's compensation injuries. To assure the great majority of persons suffering job-connected injuries a benefit of approximately two-thirds of their average weekly wage, AB 1227 increases the maximum weekly temporary disability benefit from \$70 to \$150.

Since most workers will be earning just above or below \$120.00 per week and since the average benefit replaces only 61¾ percent of the lost weekly wages, the average weekly benefit payment for a worker temporarily disabled would be about \$74.

The percentage of lost wages insured remains constant for all injured workers. Those who earn more receive larger benefits, and those who earn less receive less. This is the principle of income insurance.

### **PERMANENT DISABILITY**

Permanent disability means that the injury has resulted in a permanent physical impairment.

AB 1227 would raise the maximum weekly permanent disability benefit from \$52.50 to \$150.00 per week.

At present the maximum benefit for a worker earning \$120 a week who loses a limb and for whom an artificial limb can be provided, is \$52.50 per week for 280 weeks or a total of \$14,700. AB 1227 would increase this benefit to \$20,720.

This would bring the state program more in line with benefits available under the Federal Longshoremen and Harbor Workers Act, which provides \$21,000 for such a loss.

Workers whose permanent disability exceeds 50 percent would get a percentage of their average weekly earnings about equal to the percentage of their permanent disability for the remainder of their lives under AB 1227. This sum even for those permanently and totally disabled would not exceed the maximum of \$150 per week, however.

### **DEATH BENEFITS**

Maximum death benefits in California presently vary from \$17,500 to \$20,500, depending on the number of dependents involved. AB 1227 would provide death benefits to a dependent spouse until death or remarriage. Nine states and Puerto Rico already provide such payments.

### **DEPENDENCY BENEFITS**

AB 1227 would provide an additional \$7 for the first dependent, and \$5 for each additional dependent, not to exceed \$37 in dependency benefits for temporarily disabled persons.

### **ADMINISTRATION**

No law is stronger or better than its administration. While California law, may in contested cases, assure injured workers the benefits provided by the law, such is not the case in uncontested cases. Competent studies indicate that without supervision many injured workers fail to receive the benefits the law provides.

AB 1227 would create an administrator to head a Division of Workman's Compensation in the Department of Industrial Relations. The Division's duties would be to see that benefit payments are prompt and accurate and that the rights intended by the Legislature are fulfilled.

All affiliates and local union members are urged to write their assemblymen and state senators to urge them to support the improvements and reforms recommended by the California Labor Federation that are embodied in AB 1227.

# AFL-CIO Asks Action To Assure 'Jobs at Good Wages for All'

(Continued from Page 1)

ance between the economy's rapidly growing capacity to produce and the lagging ability of consumers to buy," the Council asserted.

Here is a brief resume of the Council's actions and recommendations:

**TAFT-HARTLEY** — Section 14 (b) of the Taft-Hartley Act which allows states to ban union security clauses in union contracts must be repealed because it denies both workers and employers the right to negotiate the kind of contract they want. This section, enacted in 1947, permitted state legislatures to enact compulsory open shop laws. Such laws completely reverse the concept of democracy: they impose the will of a minority on the will of the majority. Even if an employer and 100 percent of his employees want to negotiate a union shop clause in their contract, they are prohibited from doing so in so-called right-to-work states. This section is a travesty of democracy and must be repealed.

**MEDICARE** — The King-Anderson Bill to provide medical care for the aged under social security which is embodied in HR 1 and S 1 in this session of Congress would assure more than 18 million persons 65 and over: 60 days of hospital benefits, 60 days of post-hospital extended care, 240 home health visits, and out-patient diagnostic services at a cost of 48 cents a week or \$25.20 a year for persons earning the maximum taxable earnings of \$5,600 in 1969 and after. During 1967-68 the cost would be 41 cents a week or \$21.28 a year.

In contrast, the American Medical Association's so-called "Eldercare" proposal which claims to offer more benefits at less cost, would in fact afford less benefits at greater cost. This is because of the way it would be financed. It would require federal grants to the states to be matched by state funds. Since most states have been unable to provide sufficient matching funds to finance even the grossly inadequate medical aid to the aged programs authorized by the Kerr-Mills Act, adoption of the AMA scheme would mean that many of the aged most in need of medical care would be denied any coverage at all.

Furthermore since commercial insurance carriers could participate extensively in the AMA-sponsored proposal, there would be no protection against heavy administrative expenses, high acquisition costs and excessive profits by the insurers.

While the King-Anderson Bill provides eligibility for all at age 65 regardless of which state they live in, the El-

dercare measure would be available only to those over 65 who live in a state willing and able to participate in the program and who can prove their incomes are below an amount set by the state. If their incomes are above the state-set figure, they would be required to pay monthly premiums of an unspecified sum after they retired to qualify for benefits.

Noting that the AMA's proposal has become more accurately known as "Eldersnare," the Council declared that the King-Anderson bill "merits the most vigorous support in its present form."

**SOCIAL SECURITY** — The Council also backed the seven percent hike in social security cash benefits embodied in the King-Anderson bill. This would boost the average primary benefit from \$77.50 to about \$83 and maximum family benefits from \$254 to \$312.

**FAIR LABOR STANDARDS** — A \$2 minimum hourly wage, extension of coverage to millions now excluded, reduction of the workweek to 35 hours and a boost in the premium rate for overtime to double time is essential to wage an effective war on poverty, the Council declared.

**POVERTY** — The Council urged Congress to expand substantially "the meager appropriation for this program."

**CONSUMER ISSUES** — Asserting that the "time is right" for Congress to make "a significant advance" in enacting legislation needed to benefit the consumer, the Council urged Congress to:

- Enact a truth-in-lending bill to require disclosure of the dollar cost of credit and the true annual interest rate.

- Enact a truth-in-packaging bill to end deceptive labeling and packaging practices and set "reasonable standards" for weights and measures in packaged products.

- Plug loopholes in the Food, Drug and Cosmetics Act which presently permit goods that have not been tested for safety to be marketed.

- Reopen the probe of prescription drug prices which fell dormant with the death of the late Senator Estes Kefauver.

**MERCHANT MARINE** — The Council urged President Johnson to "mobilize all the administrative agencies of the government" to build a merchant navy capable of meeting the "vital needs of the nation."

**JOBLESS INSURANCE** — Pointing out that only two million of the 4.2 million persons presently unemployed are presently drawing unemployment insurance benefits, the Executive Council said coverage should be extended to all establishments without regard to the

number of employees as well as to employees in non-profit institutions and farm workers. It also urged enactment of federal unemployment insurance program standards to require at least 26 weeks of benefits at no less than two-thirds of the state's average weekly wage level and a ban on reducing out-of-state benefits.

**AID TO EDUCATION** — The disparities of educational opportunities between the states and the regressive nature of state and local tax systems makes federal aid to education essential if the needs of the Nation's youth are to be adequately met, the Council asserted. While generally endorsing the Higher Education Act of 1965, the Council suggested that the measure's authorization for scholarships be boosted to \$100 million and the maximum annual grant to \$1000 to increase the number of scholarships and make sure they provide enough for the poorest students. It also urged that the authorization for work-study programs be hiked to \$250 million. The Council reiterated its support for the "Cold War G.I. Education Bill" but announced its opposition to the so-called "tax credit for higher education" which it regards as "an excuse for colleges to raise their tuitions."

The Council endorsed the Elementary and Secondary Education Act of 1965 which would provide grants for supplementary education centers and services for children of public and private schools. In addition, it urged extension of free public education through at least the 14th year of schooling by expansion of the nation's junior colleges.

**CIVIL RIGHTS** — Although some "sound progress" has been made in the eight months since the passage of the Civil Rights Act of 1964, "the battle for the achievement of full and equal opportunity for all Americans is far from won," the Council declared.

"The right to vote is fundamental in a free country and any arbitrary denial of that right must be stopped. We intend to seek and support both executive and legislative efforts to insure full and equal voting rights for Americans of every creed, color, race or national origin," it added.

**PUBLIC WORKS** — Enactment of the Public Works Act of 1965 (HR 2170) which would provide \$2 billion in grants in aid to construct "badly needed community facilities," is one of the AFL-CIO's chief legislative goals, the Council said. "With millions of Americans still jobless or underemployed, construction of new homes and of the needed community facilities would have a powerful job-creating effect," it pointed out.

# DIGEST OF BILLS

## Key to Symbols

**CR** Civil Rights and Civil Liberties  
**DI** Disability Insurance  
**EA** Employment Agencies, Private  
**ED** Education  
**EL** Elections  
**HO** Housing

**IN** Insurance (Incl. H & W)  
**LC** Labor Code Changes, General  
**LI** Liens, Attachments & Writs  
**LS** Labor Unions, Individually  
**LU** Labor Unions, General  
**MI** Miscellaneous  
**PE** Public Employees  
**PH** Public Health

**RE** Recreation  
**SL** Industrial Safety  
**SL** State & Local Government  
**TA** Taxation  
**TR** Training & Retraining  
**UI** Unemployment Insurance  
**WC** Workmen's Compensation  
**WP** Water and Power

\*Sponsored by the California Labor Federation, AFL-CIO

No bill may be taken up until 30 days after date of introduction indicated in Digest, except by  $\frac{3}{4}$  vote.

## ASSEMBLY BILLS

**AB 1115 Unruh** (Ed.). Provides that number of state competitive college scholarships for 1966-67, 1967-68, and 1968-69 fiscal years, and fiscal years thereafter, shall be made available on basis of percentage equal to number of California high school graduates of the previous year, with 1 percent for the 1966-67 fiscal year,  $1\frac{1}{2}$  percent for the 1967-68 fiscal year, and 2 percent for the other fiscal years. Provides that  $\frac{1}{3}$  of total number of such scholarships which are available in a fiscal year shall be available for pro rata allocation in each senatorial and assembly district. Makes additional scholarships available in each of such fiscal years for all renewal scholarships for all qualifying State Scholarship winners. Feb. 10. **ED—Good**

**AB 1121 Z'berg** (Ind.R.). Provides for an undisturbed meal period of at least one-half hour for train dispatchers. Feb. 11. **LC—Good**

**AB 1125 Gonsalves** (Agr.). Provides for registration and branding of egg containers containing four dozen or more shell eggs. Feb. 11. **LS—Good**

**AB 1127 Danielson** (Jud.). Provides that no attachment may be issued in any action in which the claim (not including interest and attorney's fees) is less than \$200, rather than \$75. Feb. 11. **LI—Good**

**AB 1140 Kennick** (G.E. & E.). Provides for establishment of a temporary operator's license. Requires completion of a 1 year period of supervised employment as a temporary operator within 4 years after successfully passing the state cosmetology examination, before a full cosmetologists's license is issued to any applicant, except applicant who has completed requirements under a junior operator's license. Provides that such license shall be issued to persons who complete cosmetology school and pass the required examination. Feb. 11. **LS—Watch**

**AB 1153 Stevens** (G.E. & E.). Creates California Housing Conciliation Commission. Declares its purposes are to encourage and strive toward: elimination of discrimination in private housing on basis of race, religion, color, national origin or ancestry; bringing to minimum personal disruption and discomfort in relocation incident to public improvement projects; and ascertaining facts re alleged changes in real property values related to discriminatory practices. Provides that in carrying out its purposes, commission shall: receive and investigate complaints alleging discrimination, relocation hardship, and property value decline; meet and confer with others with view to fostering understanding and affecting voluntary solutions through conciliation; establish local conciliation commission to implement general study to accomplish purposes of bill; render reports to Governor and Legislature of its activities and recommendations. Feb. 11. **CR—Good**

**\*AB 1154 Rumford** (Ind. R.). Establishes a minimum wage of two dollars (\$2) for all employees regardless of age or sex. Establishes maximum hours and provides for regulation of overtime. Provides for regulatory powers to be exercised by the Director of Industrial Relations to implement the wage and hour provisions. Provides for criminal penalties for violations, and authorizes civil action by employees. Feb. 11. **LC—Good**

**AB 1161 Willson** (Fin. & Ins.). Revises and clarifies definition of "insurer" for purposes of provisions regulating issuance of insurance securities and changes reference to such provisions in Corporations Code. Feb. 15. **IN—Watch**

**AB 1166 Dymally** (G.O.). Creates an Office of Economic Opportunity in the office of the Governor. Empowers the Office of Economic Opportunity to plan and administer the antipoverty program in California. Grants the office authority to secure information, carry on research, receive funds, enter into agreements and exercise various other powers. Feb. 15. **TR—Watch**

**AB 1171 Garrigus** (Ed.) Permits certificated employee, at his election, to use days of sick leave in cases of personal emergency, including but not limited to, death of a member of immediate family, accident involving his person or property or person or property of a member of

immediate family, court appearance as a litigant or as a witness under order, or service as a juror. Feb. 15. **PE—Watch**

**AB 1175 Davis** (Fin. & Ins.). Entitles active law enforcement members of warden service of the Wildlife Protection Branch of the Department of Fish and Game who are disabled in connection with the course of their employment to leave of absence without loss of salary, in lieu of temporary disability payments, if any, payable under workmen's compensation provisions, for not more than one year or until retirement on permanent disability pension. Feb. 15. **WC—Watch**

**AB 1181 Elliott** (G.E. & E.). Limits requirement, that schools of cosmetology have at least two instructors, to private schools of cosmetology. Provides that the State Board of Cosmetology has no authority to approve schools giving courses in cosmetology which are in the public school system nor to regulate the manner in which such schools are conducted or operated. Feb. 15. **LS—Watch**

**AB 1182 Henson** (Ind. R.). Excludes surgical technicians and inhalation therapists in hospitals during emergencies from provisions limiting the hours of employment of women. Feb. 15. **LC—Watch**

**AB 1183 Beilenson** (Fin. & Ins.). Provides that "wages" for unemployment insurance purposes does not include remuneration in excess of 70 times the average weekly wage paid in covered employment by all employers as determined each year by the Director of Employment. Defines "covered employment" to mean "employment" as that term was defined under the Unemployment Insurance Law as of December 31, 1960, except that exclusions of service from "employment" operative after December 31, 1960, are excluded from "covered employment." Feb. 15. **UC—Watch**

**AB 1192 Williamson** (G.E. & E.). Increases fee for farm labor contractor's license from \$25 to \$50. Feb. 15. **LC—Watch**

**AB 1213 Knox** (Ed.). Requires school districts to allow teachers in schools where there are two or more teachers a 10-minute rest period in morning and afternoon work periods. Feb. 16. **ED—Watch**

**\*AB 1227 Foran** (Fin. & Ins.). Workmen's compensation amended and added to provide: (1) rehabilitation benefits as part of the compensation; (2) coverage of employees in domestic service; (3) increase of the maximum temporary disability weekly benefit amount from \$70 to \$150; (4) increase of the maximum weekly benefit amount for permanent disability from \$52.50 to \$150; (5) computing the average weekly wage at 95 percent of the daily earnings where the employment is for five or more working days per week and 95 percent of the average weekly earning capacity if employment is for less than five working days per week except that if the wages are at an hourly rate the amount shall be computed at 95 percent of the hourly rate multiplied by forty; (6) free choice of physician; (7) payment for the first week of disability if the disability exceeds 7 rather than 49 days; (8) life pension commencing with permanent disabilities of 50 percent or more and provides the average weekly earnings of a life pension shall be at the same rate as the amount of the permanent disability; (9) dependency benefits of \$7 for the first dependent and \$5 for each additional dependent not exceeding six in the total sum of \$37; (10) cash payments received during rehabilitation shall be the same amount that would be payable for temporary disability benefits; (11) a life pension in the event of an industrial death payable to the widow for life or until she remarries and as to other dependents during their dependency with payments at a weekly amount identical with the maximum amount payable for temporary disability benefits and with partial benefits to partial dependents determined by the amount of support previously provided; (12) permits the application for medical benefits during an individual's entire life; (13) adds Division 4.75 (commencing with Section 2650) to provide a separate and distinct division



## ASSEMBLY BILLS (Continued)

- under an administrator with the obligation of insuring supervision of the operation of the program including prompt and complete payment of all benefits but specifying that the quasi-judicial functions shall at all times rest with the Industrial Accident Commission and providing that the expenses for such a program shall be made by a charge of the necessary percent on both insurance carriers and self-insurers; (14) premium rates of carriers shall be based upon the experience of the State Fund. Feb. 16. **WC—Good**
- \*AB 1228 Warren** (Fin. & Ins.). Adds provision requiring any document evidencing any interest loan to state separately the principal and interest payable in individual columns notwithstanding any other statutory provision to the contrary. (Truth in lending.) Feb. 16. **MI—Good**
- AB 1232 Burton** (Soc. Wel.). Establishes the minimum rate of wages for the blind and other physically handicapped employed by California Industries for the Blind at the basic federal minimum wage. Feb. 16. **MI—Good**
- AB 1233 Warren** (Fin. & Ins.). Provides, for purpose of determining an employer's contribution rate to the Unemployment Fund, that the employer's "net balance of reserve" means the excess, if any, of credits required to be made to his account during the 3 years immediately preceding the computation date over the charges against his account during the 5 years immediately preceding said date, rather than the excess, if any, of credits over charges as of the computation date. Feb. 16. **UC—Bad**
- AB 1238 Bagley** (Mun. & C.G.). Authorizes local ordinances requiring dedication of land for school site use by developers of subdivisions having 400 or more dwelling units, with the school district to reimburse the subdivider for the original cost of the dedicated property and the cost of any improvements thereon. Provides that local ordinances may require subdividers not required to dedicate to pay a fee of \$150 per lot in lieu of such dedication, with the fees to be used for school site acquisition. Feb. 16. **ED—Good**
- AB 1240 Bagley** (Agr.). Makes permanently inapplicable, instead of inapplicable only until November 1, 1967, to New York dressed fowl a prohibition that no poultry meat shall be packed, repacked, cut, offered for sale, or sold, unless each container or carcass is marked in accordance with specified provisions of the law and regulations adopted under it. Feb. 16. **LS—Bad**
- AB 1251 Alquist** (G.E. & E.). Creates a Board of Boiler Operator Examiners of the State of California composed of nine members appointed by the Governor with the advice and consent of the Senate for four-year terms. Vests in the board the duty to register boiler operators. Prohibits persons from using the title registered boiler operator or the letters R.B.O. without registration. Permits the board to revoke registrations for specified reasons. Specifies the fee schedule. Feb. 16. **LS—Watch**
- AB 1252 Allen** (Elec. & Reap.). Exempts officers and employees of city having population in excess of 2,000,000 from restrictions imposed by state law on political activities of officers and employees of local agencies. Feb. 16. **PE—Watch**
- AB 1257 Chappie** (Pub. H.). Deletes requirement that all meat or meat products, except retail cuts, be sharp frozen prior to delivery to consumer. Adds requirement that processor quick freeze all meat or meat products according to prescribed standards prior to delivery to the consumer. Feb. 17. **LS—Watch**
- AB 1262 Thelin** (Fin. & Ins.). Requires that persons appointed in the future as Industrial Accident Commissioners have the qualifications of a judge of the superior court. Feb. 17. **WC—Bad**
- AB 1265 Donovan** (G.E. & E.). Creates a State Board of Locksmiths composed of five members appointed by the Governor for four year terms and prescribes its organization, powers, and duties. Provides for the issuance of apprentice and journeymen locksmith licenses. Makes it unlawful after July 1, 1966, to practice as a locksmith without first obtaining a license from the board. Regulates activities of locksmiths. Requires persons possessing a key duplicating machine used to duplicate keys for a fee for the general public to annually register with the board. Feb. 17. **LS—Bad**
- AB 1266 Burton** (Fin. & Ins.). Provides that tips and gratuities received by an employee in the course of his employment shall be included in determining average weekly earnings within the limits fixed in Section 4453. Feb. 17. **WC—Watch**
- AB 1267 Burton** (Fin. & Ins.). Provides that for purposes of disability compensation tips and gratuities customarily received and retained by a worker in the course of his employment from persons other than his employing unit shall be treated as wages paid by his employing unit. Authorizes elimination of amount of tips and gratuities pursuant to authorized regulations. Feb. 17. **DI—Watch**
- AB 1268 Burton** (Fin. & Ins.). Deletes provisions specifying conditions under which tips and gratuities may be considered wages for unemployment insurance purposes, and provides instead that such tips and gratuities shall be treated as wages paid by the employer. Feb. 17. **UI—Watch**
- AB 1269 Soto** (Rev. & Tax.). Establishes procedure for claiming senior citizens' exemption from real property taxes. Makes operative effect of the enactment dependent upon adoption by the electorate of an appropriate amendment to the Constitution. Feb. 17. **TA—Watch**
- \*AB 1274 Mills** (Jud.). Includes certain trust funds established for fringe benefits through collective bargaining, as being entitled to mechanics' lien rights. Feb. 17. **LC—Good**
- AB 1279 Dymally** (Fin. & Ins.). Requires that where award is recovered by injured employee or employee's dependent, the fee of employee's or dependent's attorney shall be paid by employer or insurer and not be deducted from the award. Feb. 18. **WC—Good**
- \*AB 1280 Dymally** (Fin. & Ins.). Deletes provisions deeming all services performed to be in employment for unemployment insurance purposes only if one half or more of such services are in employment for such purposes. Deletes present express exclusions of various services from "employment" covered by unemployment insurance laws. Deletes limitations on use of lag quarter earnings. Makes State of California and counties, cities, cities and counties, districts, and other political subdivisions employers for purposes of unemployment insurance. Increases, operative January 1, 1966, amount of remuneration considered "wages" for purposes of unemployment insurance from \$3,800 to \$7,500, provides that the Director of Employment shall yearly determine the average weekly total wage paid by all employers, and provides that the limitation on remuneration considered "wages" shall be increased by \$100 for each increase of \$2 in the average weekly total wage above \$100 each year, except that if there is no increase, or if the increase would result in a limitation equal to or less than that of the preceding year, the limitation for the preceding year shall remain in effect. Deletes elimination of vacation pay from "wages" paid employee after he reaches 65. Eliminates authority to director to permit use of any information in his possession to enable an employer to receive a reduction in contribution rate. Provides that holiday, vacation and severance pay accruing to an employee on layoff or termination is not "wages" for purposes of determining whether an employee is "unemployed," or for determining whether or not amounts received by an employee while unemployed shall be deducted from his benefits. Provides that benefits shall be paid for the first week of unemployment if the period of unemployment is in excess of that week. Lowers the amount of wages required in an employee's highest quarter during his base period to entitle him to the various weekly benefit amounts, increases maximum weekly benefit amount from \$70 to \$80, and provides for yearly increase or decrease in the maximum benefit above \$80 based upon weekly benefit amount factor determined each year by the Director of Employment based upon two-thirds the average weekly total wage paid in employment. Eliminates requirement that in order for an employee to receive unemployment benefits, he must receive specified amounts of wages in highest quarter of base period if more than 75 percent of his base period wages were paid during a single calendar quarter. Increases maximum period of weekly benefits from 26 to 39 weeks, and eliminates provision limiting benefits to not more than one-half the total wages paid to an individual during his base period. Includes agricultural workers within unemployment disability insurance laws. Provides that "employment" for purposes of unemployment insurance shall include all services performed for a nonprofit organization, as defined, except for services performed by certain specified clergy. Authorizes self-employed individuals, who receive the major part of their remuneration from the trade, business or occupation in which they are self-employed, to elect to be covered by the unemployment insurance provisions, and makes specified provisions regarding procedures therefor. Eliminates present provisions regarding self-employed individuals, and authorizing employers to elect to come under the unemployment insurance law. Requires every employer to pay into the unemployment insurance fund each calendar year 3 1/2 percent of all wages paid, and eliminates present provisions respecting employer contributions and charging of benefits to employers' accounts. Provides that the amount of employer contributions shall be pooled and made available to pay unemployment compensation benefits to any employee entitled thereto regardless of the source of contributions. Provides that any person who leaves work because of refusal to accept a transfer or who refuses an offer of employment or referral to a job which would require him to work at such hours when his family duties and responsibilities would prevent him from accepting such work, shall be deemed to have made such refusal with good cause and not be subject to disqualification for unemployment benefits. Provides

## ASSEMBLY BILLS (Continued)

that the weekly unemployment benefit shall be increased by \$7 for one dependent and an additional \$5 for each additional dependent, not exceeding 6, for a total of \$37. Provides that when any person has any unexpired rights at the time of the commencement of a disability, including that which has occurred as a result of an industrial accident or disease, of more than 60 days and less than 2 years, the unexpired balance remaining in his account shall be reestablished at the end of the disability. Provides further that the benefit year shall be one year from the first day of the week following the termination of the disability, and that in determining the benefit rights of any disabled person, the disability base period shall exclude quarters in which the person was disabled for 60 days or more and an equal number of quarters prior to the disability shall be substituted. Authorizes a claimant to establish by affidavit the amount of any unexpended balance and wages earned the records of which have been destroyed. Provides further that no disqualification shall be applied to any disabled person after termination of disability by reason of any act or cause of action on his part prior to his disability. Feb. 18.

UC—Good

**AB 1284 Henson** (G.E. & E.). Revises the provision in Contractor's License Law concerning the owner-builder exemption, to provide that said law does not apply to an owner-builder who does work himself or through his employees, if structure is not intended or offered for sale, and does not apply to an owner-builder who contracts for the work with a licensed contractor. Feb. 18.

LS—Watch

**AB 1295 Williamson** (Ind. R.). Requires that no aerial passenger tramway shall be operated in any place of employment without a permit from the Division of Industrial Safety. Makes violation a misdemeanor. Authorizes the division or any person affected thereby to seek an injunction restraining the operation of any such tramway operated without a permit and which is in such condition that its use is dangerous. Requires the division to inspect such tramways once each year and issue a yearly permit for tramways found safe. Authorizes the division to require repairs or alterations to be made upon unsafe tramways, and to order the discontinuance of unsafe tramways, after hearing, if requested. Authorizes the division to fix and collect inspection fees not to exceed certain specified amounts, to be paid into the General Fund. Authorizes temporary permits under specified circumstances. Provides that no tramway shall be constructed without approval by the division of the erection plans and design information which shall be certified by a qualified engineer and that no permit to operate a tramway shall be issued until a qualified engineer certifies that the erection work on the tramway has been completed in accordance with the design and erection plans. Provides that nothing in the provisions shall limit the authority of the division to prescribe or enforce general or special safety orders. Feb. 18.

LC—Good

**AB 1297 Elliott** (G.E. & E.). Provides that female who holds at least 25 percent of the stock of an onsale licensee corporation can dispense or mix wine or distilled spirits on premises for which corporation holds onsale license. Feb. 18.

LS—Bad

**AB 1298 Donovan** (Fin. & Ins.). Eliminates requirement that members of police department of a city or municipality or member of State Highway Patrol need be employed under civil service to be eligible for workmen's compensation for hernia, heart trouble or pneumonia, and to receive the benefit of the presumption that it arose out of and in the course of his duties. Provides that these provisions that apply to members of police departments of the State Highway Patrol and sheriffs and deputy sheriffs shall apply only to those whose principal duties consist of active law enforcement and not to office personnel. Feb. 18.

WC—Watch

**AB 1301 Stevens** (Fin. & Ins.). Authorizes Insurance Commissioner to provide by rule and regulation new forms of optional uniform policy provisions differing from those set forth in particular sections of the law to extent they are consistent with substance of a specified exhibit in a report of a subcommittee of the Over Insurance of the Accident and Health Committee, National Association of Insurance Commissioners, dated December 3, 1963. Makes various related changes. Feb. 18.

IN—Bad

**AB 1314 Rumford** (W. & M.). Requires, rather than permits, public officers and bodies charged with the letting of contracts for public work, with the construction of public structures, or with the purchase of supplies for any public use to give a preference to California-made materials if the bids of such persons do not exceed by more than 5 percent the lowest bid quoted by persons manufacturing the supplies outside the state, if the major portion of the work of manufacturing the supplies is not done outside the state. Deletes the discretion of the purchasing authority to buy California-made materials only if he determines that the public good will shall be served thereby. Feb. 18.

MI—Watch

**AB 1324 Garrigus** (Agr.). Provides that plant quarantine officers at inspection stations may ascertain the origin, quantity and kinds of poultry and poultry products, eggs, livestock and the products thereof transported into or out of this state through such stations. Authorizes ascertaining of such information on meat and meat products transported out of, as well as into, this state. Requires operator of vehicle transporting such products to stop and give required information on request. States that such request may be by sign posted on the station or by any means deemed effective by the Director of Agriculture. Feb. 19.

PH—Watch

**AB 1336 Flournoy** (Ed.). Eliminates basic aid to school districts, and provides for apportionment of funds released thereby as state equalization aid. Makes effectiveness of act contingent on adoption of ACA 6. Feb. 23.

ED—Good

**AB 1338 Knox** (Fin. & Ins.). Requires membership contracts entered into by a health care services plan to include a cancellation clause allowing cancellation at the request of a contracting member who shall be reimbursed in the amount of any excess over the pro rata fee for the time expired under the agreement minus \$5 and precludes any further liability for fees after such request. Specifies that any membership contract not including described cancellation clause shall be voidable at the option of the contracting member and unenforceable by the health care services plan. Defines "health care service plan" and provides that provisions of this article shall not apply to a plan operated by an insurer, a nonprofit hospital services plan, or fraternal benefit society while such plan is operated within the scope of a current certificate of authority issued by the insurance commissioner. Operative on January 1, 1966. Feb. 23.

IN—Bad

**AB 1351 Mills** (C.S. & S.P.). Declares that it is policy of the state that the normal workweek of fire suppression employees of the Division of Forestry not exceed 96 hours a week. Authorizes compensation, in cash or compensating time off, for hours worked in excess of the designated normal workweek. Feb. 23.

LS—Watch

**AB 1355 Henson** (Crim. Pro.). Requires public defender to defend, without expense, any defendant financially unable to employ counsel in cases triable in the municipal and justice courts as well as in cases triable in the superior courts. Feb. 23.

CR—Good

**\*AB 1364 Foran** (Ind. R.). Requires employers in the culinary industry, before commencing work in period for which single payment of wages is to be made or for 4 calendar weeks, whichever is the longer, to have on hand or on deposit with bank or trust company, cash or readily salable securities sufficient to pay wages of every person employed for such period or to deposit with Labor Commissioner bond of acceptable surety company conditioned upon payment of all wages found due by commissioner. Requires conspicuous posting of name and address of bank or trust company or name of surety or sureties, and makes failure to post name prima facie evidence of violation of deposit or bonding requirements. Provides violation of deposit or bonding requirements is misdemeanor. Feb. 23.

LC—Good

**AB 1366 Powers** (C.S. & S.P.). Provides that State Personnel Board shall fix maximum annual limit of salaries of referees in amounts equal to annual salary of judge of lowest California court of record. Feb. 23.

WC—Good

**AB 1368 Waldie** (Elec. & Reap.). Establishes, notwithstanding any other provision of law, several procedures for the recount of ballots in any election in which votes are tabulated by electronic or electromechanical devices. Provides, first, that within 30 days after every such election, the presiding judge of the superior court in the county shall order a public manual recount of the ballots in 6 percent of the precincts, but in no case in less than 6 precincts, unless the total number of precincts is less than 6. Establishes as an additional procedure, that the superior court order a public recount of such ballots in such precincts as the court shall designate. Provides, however, that such order issue only when, upon request of the board of supervisors or grand jury in the county, within 90 days after the election, the district attorney petitions for recount and then only if after a hearing, there is finding that there is probable cause to believe that there was either misconduct or error, sufficient to affect the election result. Provides, also, that the superior court may order further recounts as it deems proper in light of the results of the recounts provided for above, and shall determine and order corrected the results of any election affected by a recount. Requires that the court order payment of the costs of any recount by any person or public agency petitioning therefor. Feb. 23.

EL—Watch

**\*AB 1376 Meyers** (C.S. & S.P.). Reduces the workweek for state employees from 40 to 35 hours. Feb. 23.

PE—Good

**AB 1379 Meyers** (C.S. & S.P.). Permits state officers and employees to elect to be paid twice a month. Operative January 1, 1966. Feb. 23.

PE—Good

## ASSEMBLY BILLS (Continued)

- \*AB 1380 Meyers** (C.S. & S.P.). Requires that all ordered overtime or overtime in times of critical emergency for state employees be compensated at time and one-half the regular rate of pay. Feb. 23. **PE—Good**
- \*AB 1381 Meyers** (C.S. & S.P.). Provides that a holiday falling on Saturday shall be observed on the preceding Friday or following Monday, as determined by the Governor. Feb. 23. **PE—Good**
- AB 1388 Pattee** (Trans. & C.). Revises provisions regarding signaling devices. Feb. 24. **LC—Good**
- AB 1389 Dymally** (G.E. & E.). Adds as a ground for the suspension or revocation of a real estate license, knowingly using a multiple listing service which contains racial identifications in connection with the various listings thereon. Feb. 24. **CR—Good**
- AB 1395 Warren** (G.E. & E.). Provides that all persons are entitled to full and equal enjoyment of services and opportunities afforded by business or professions authorized by the state by a license, certificate, registration or other means, and imposes specified penalties for violation thereof. Feb. 24. **CR—Good**
- AB 1396 McMillan** (G.E. & E.). Provides that under certain circumstances students enrolled in a school of cosmetology or electrology are to be considered as persons who are employed for purposes of Labor Code and the orders of the Division of Industrial Welfare. Feb. 24. **LC—Good**
- AB 1418 Quimby** (C.S. & S.P.). Provides for an additional member of the Board of Administration of the State Employee's Retirement System to be chosen by, and from among, the local safety members of the system, whose initial term will expire on January 15, 1967. Feb. 24. **PE—Watch**
- AB 1422 Badham** (Elec. & Reap.). Permits any voter confined in hospital, sanatorium, or nursing home on election day, instead of only voters confined therein after closing date for obtaining absentee ballots, to vote by means of absentee ballot. Provides that such absentee ballot may be requested and returned up to time polls close on election day, instead of not later than the day before election. Feb. 24. **EL—Good**
- AB 1423 Dymally** (G. O.). Provides that the Department of Social Welfare and the Director of Social Welfare shall succeed to all powers and duties formerly in the Department of Education and the Superintendent of Public Instruction in relation to the child care centers for normal children and for the mentally retarded and physically handicapped. Declares that any future expansion of such child care centers shall be made only if the maximum available federal funds are fully utilized. Feb. 25. **ED—Watch**
- AB 1448 Burton** (G.E. & E.). Prohibits red, pink, or other colored lighting over meat displayed for sale. Feb. 25. **LS—Good**
- AB 1449 Foran** (Ind. R.). Provides for external, as well as internal, inspection of installed fired boilers. Provides for Division of Industrial Safety to grant extensions beyond usual 12-month interval between internal inspections, up to a maximum of 24 months, where operating experience and design of boiler has demonstrated safety will be maintained. Feb. 25. **LS—Good**
- AB 1456 Carrell** (Rev. & Tax.). Provides for the postponement of taxes on residences having an assessed value of \$7,500 or less and owned by single persons over 65 years of age, by husbands and wives if husbands are over 65, or by unmarried widows over 60, if the taxpayer has an annual gross income of less than \$3,600. Establishes procedures for a taxpayer to file a claim for such a postponement. Feb. 25. **TA—Watch**
- \*AB 1459 Ryan** (C.S. & S.P.). Permits the state and various named public entities to make and enter into contracts and collective bargaining agreements with their employees, the collective bargaining representatives of their employees, and labor organizations. Feb. 25. **LC (PE)—Good**
- AB 1461 Gonsalves** (Ind. R.). Requires that on and after July 1, 1970, certain employees of the Division of Forestry and of counties, cities, fire protection districts and other political subdivisions shall not be required to work more than an average of 40 hours per week except in certain emergencies when they shall receive time off with pay for any excess. Requires that hours of work of such employees shall be reduced by at least 5 percent each year until 1970 to reduce hours worked to required average. Feb. 25. **LS—Good**
- AB 1468 Waldie** (W. & M.). Permits state agencies to obtain printing from private companies and firms and to order such printing through State Purchasing Division. Feb. 25. **LS—Bad**
- AB 1469 Waldie** (W. & M.). Permits legislative printing to be done by private printers as well as by State Printing Office. Feb. 25. **LS—Bad**
- AB 1471 Meyers** (G.E. & E.). Authorizes the issuance by the State Board of Barber Examiners of a manager barber certificate, which authorizes the holder thereof to supervise and manage a barbershop. Makes it unlawful on and after October 1, 1966, to operate a barbershop without a manager barber. Provides that apprentices shall work under the personal supervision of a manager barber rather than of a registered barber. Permits each shop to employ apprentices in ratio of one apprentice to each manager or registered barber, not exceeding two apprentices. Feb. 25. **LS—Watch**
- AB 1474 Winton** (Ed.). Exempts public school employers and employees from the provisions of the "Public Employees Formal Representation Act" in the Government Code, and adds comparable provisions to the Education Code. Includes educational matters as a subject for discussion between public school employers and employees, rather than limiting negotiations to matters affecting working conditions only. Requires public school employer to adopt reasonable rules and regulations for the administration of employer-employee relations, and requires that such rules and regulations contain a provision for verifying by the submission of membership rosters that an organization does in fact represent school employees of the public school employer and what percentage of such employees are represented by the organization. Feb. 26. **ED—Bad**
- AB 1476 Winton** (G.O.). Provides for payment to a county (1) which has purchased goods for services from institutions in Department of Corrections, (2) whose probation officer has filed with the department the reports required by Section 1203c, Penal Code, (3) whose probation personnel preparing such reports meet certain standards prescribed by Director of Corrections, and (4) which has applied for the payment, of 50 percent of amount paid for such goods and services. Increases sum required to be retained in Correctional Industries Revolving Fund. Provides generally that normal maximum production of industry established by Correctional Industries Commission shall be \$400,000, whereas present formula for maximum is \$350,000 adjusted by institutional population growth and by wholesale price factors. Requires notice and hearing for establishing industry with production over \$400,000 rather than \$25,000. Eliminates requirement of hearing on increase to amount below usual maximum. Permits commission to require notice and hearing when establishing industry with production not exceeding \$400,000 or increasing production to amount not exceeding that amount. Provides that in any case in which the actual production of an industry during any year is less than the maximum established for it, the commission shall ascertain the amount of the difference between the actual production and the maximum allowed for such industry and shall, during the next fiscal year, augment the maximum permitted production otherwise permitted for another industry or other industries by the amount of such difference. Feb. 26. **SL (LU)—Bad**
- AB 1477 Winton** (Ed.). Affords specific authorization to sheriff, with approval of board of supervisors, to enter agreement with school districts for conduct of adult education classes in county jails, industrial farms, or county or joint county road camp. Prescribes minimum school day and maximum weekly class hours to be utilized for average daily attendance computation purposes regarding such classes. Provides for a State School Fund allowance to school district to cover actual cost of providing classes. To be operative and effective for purposes of allowances and apportionments in the 1965-1966 fiscal year. Feb. 26. **LS (Ed)—Watch**
- AB 1529 Dannemeyer** (Jud.). Requires holder of funds to inform lien claimant in writing of the amount of funds being held within 10 days after lien claimant has posted a bond securing costs to cover an invalid claim. Provides that if response is not given within the 10 days a \$25 penalty shall accrue to the claimant. Mar. 1. **LI—Watch**
- AB 1537 Garrigus** (Ed.). Eliminates prescribed maximum school district tax rates, provisions prescribing procedures whereby district electors may vote override increases in rates, and provisions authorizing increases in maximum rates without election for specified purposes. Restricts amount of school district budget for current expenditures for each year to a fixed percentage in excess of the applicable average statewide expense of education per each unit of average daily attendance of various classes of districts for the second preceding fiscal year; but permits such budgetary amount to be exceeded in any year by district electors at an election. Accelerates fiscal year budgeting procedures to require preparation, approval and submission in May and June, so that any required election may be held prior to August. Fixes the percentage by which average statewide expense of education per a.d.a. of second preceding fiscal year may be exceeded in a current fiscal year at 33 1/3, but prescribes lesser intermediate step increases for fiscal years commencing 1966-67, and until 1969-70. Requires State Department of Education to compute such average statewide expense for various types of school districts. Makes provision for election and establishes procedure after election, and makes various related changes. Mar. 1. **ED—Bad**