



# California AFL-CIO News

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Executive Secretary-Treasurer

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## Labor at the Legislature

From the Capitol Office  
of the Executive Secretary

Assemblyman Carl A. Britschgi, (R-Redwood City) is author of two vitally important Federation-sponsored bills. Assembly Bill 349 would provide extensive benefits and protections to workers in the building and construction trades employed by contractors on public works projects for all jurisdictions of state and local government. AB 350 by Britschgi will, when adopted, provide expanded employment opportunities in the printing trades since it increases the preference margin for California bidders on state printing contracts. Every effort should be put forth to move these bills to final passage through the Legislature. The author is chairman of the Government Administration Committee. The bills he is carrying on behalf of Labor are of tremendous economic importance to California workers.

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In any session, top priority is assigned by the Executive Secretary of the Federation to measures improving the laws on Unemployment and Disability Insurance. At the request of the Executive Secretary, Assemblyman Leon Ralph (D-Los Angeles) is the principal author of a "package" of ten bills relating to the Unemployment Insurance Code. These are consecutively numbered bills—AB 294, 295, 296, 297, 298, 299, 300, 301, 302 and 303. Comprehensive analysis of these measures is being developed by the Executive Secretary and the General Counsel. As the session progresses and these proposals approach their committee consideration, more extensive comment will be made.

(Continued on Page 2)

## State AFL-CIO Hits Reagan Tax Plan as Aid To Rich

The State AFL-CIO this week faulted Governor Reagan's proposed 10 percent across-the-board tax cut as an "inequitable" proposal that would chiefly benefit the well-to-do.

Instead, Thos. L. Pitts, secretary treasurer of the California Labor Federation, AFL-CIO, urged the Governor to apply

\$100 million state budget surplus to property tax relief.

And he urged the Governor to put the weight of his office behind reducing property taxes this year instead of waiting until 1970, an election year.

"If \$100 million is truly available—after  
(Continued on Page 4)

## Fed Bills in Hopper to Update State Jobless Pay Program

A 10-bill package of legislation to help prevent California workers from being wiped out financially by unemployment has just been introduced by Assemblyman Leon D. Ralph (D-Los Angeles) at the request of the California Labor Federation, AFL-CIO.

## Two More U.S. Cities Outlaw Strikebreakers

Two more U. S. cities—Columbus, Ohio and Oswego, New York—have just adopted ordinances outlawing the use of professional strikebreakers in labor disputes.

The two ordinances, both adopted January 27, are the 102nd and 103rd to be passed by municipalities in the past

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The legislation, which would protect the state's economy by stabilizing purchasing power in the event of a recession, calls for the elimination of unfair disqualification provisions in the present law as well as for increases in maximum weekly benefits and extension of unemployment insurance coverage to farm workers, domestics and public employees.

"The working people in California will attain greater job security through the enactment of this forward-looking legislation," Assemblyman Ralph said in introducing the measures late last week.

Specifically, the legislation  
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## UTU Denounces Rail Employers' Ad Campaign

A massive advertising drive being mounted by the Association of American Railroads in an attempt to revive the smear term "featherbedding" in current crew consist disputes has been denounced by Charles Luna, president of the AFL-CIO United Transportation Union, as a sign of railroad management's failure to make a case "with decency and logic."

Pointing out that accidents have increased sharply in recent years, in many instances directly proportional to reductions in the size of train crews, and that railroad service has deteriorated while rates and profits have steadily increased, Luna declared.

"Name-calling is a sick kind of refuge for those who have fallen into a poverty of fact and figure."

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## U.S. Court Upholds Public Workers' Union Rights

Public employees have a right under the U. S. Constitution to belong to unions, according to a unanimous ruling by the 8th U. S. Court of Appeals in St. Louis.

"Union membership is pro-

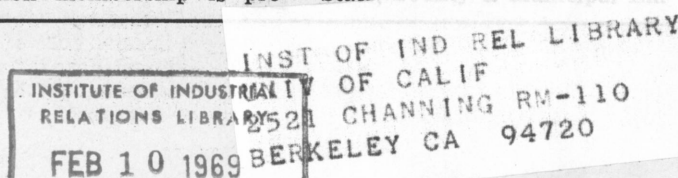
ected by the right of association under the First and Fourteenth Amendments," the court held in an opinion written by Judge Gerald W. Heaney.

The American Federation of State County & Municipal Em-

ployees took the appeal to the court on behalf of two members who, the union contended, were fired from the North Platte, Neb., Street Dept. for union activity.

The decision holds that the constitutional right of public employees to join a union is protected under the First Amendment. It is made applicable to states under the Four-

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## Labor at the Legislature

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Early in the 1969 session, the new Speaker of the Assembly made it clear that he intended to make distinct changes in the manner in which that house conducted its business. The re-alignment of committees and the designation of chairmen and vice chairmen were early steps in this direction. He also stated greater emphasis would be placed on the work of sub-committees and on Monday he announced the appointment of sub-committee chairmen.

Two sub-committees were set up in the Finance & Insurance Committee. Assemblyman Jack R. Fenton (D-Montebello) will be chairman of the sub-committee on Workmen's Compensation while Assemblyman William M. Ketchum (R-Bakersfield) is heading up the group on Unemployment and Disability Insurance.

At the same session, chairmen were designated for five divisions of the Education Committee, six for the Ways and Means Committee which deals with the Budget and all measures carrying appropriations, two for Natural Resources and one for Transportation.

## Consumer Dept. Bill Introduced

"Until the consumer interest is the primary, exclusive motivation of a statutory agency of government instead of an afterthought as it is in so many agencies today, the consumer will remain a second-class citizen in the market place."

That's what Rep. Benjamin S. Rosenthal (D-N.Y.) said this week in introducing a bill to establish a cabinet-level Department of Consumer Affairs that already has the support of 95 congressmen including California's new U. S. Senator Alan Cranston.

Creation of such a department has long had the solid support of the AFL-CIO. Chief sponsor of the Senate version of the bill is Senator Gaylord Nelson (D-Wis.).

## UTU Raps Rail Employers' Drive To Smear Workers

(Continued from Page 1)

(In 1964 a similar massive advertising campaign in California by railroad interests succeeded in winning passage of Proposition 17 which repealed the state's full crew law and stripped the State Public Utilities Commission of authority to determine the number of brakemen to be used on trains in the interest of public safety. The railroad industry promoters of Proposition 17 spent four times as much to sell that issue to uninformed California voters than could be mustered to fight it with facts. This is indicated by reports filed with the Secretary of State's Office in 1964 that show that the railroad interests spent about \$2,000,000 to put Proposition 17 across.)

### REPLY ESSENTIAL

While emphasizing that the union is not going to compete for newspaper headlines and advertising space in the dispute with carriers over the future of firemen-helpers, Luna said:

"It is essential that someone reply when men who style themselves leaders of their industry start recklessly applying tarnish to railroad workers and, through them, to railroading in general."

Luna, who became President of the 220,000 member UTU last January 1 when four of the nation's five railway operating unions merged, sharply attacked the "carriers' posture as protector of the public."

This is "especially hollow," he declared, because "they almost never relate campaigns of this kind to their personal or corporate gain but only to the welfare of the country and its people. 'If we get the crews reduced,' they cry, 'we will be able to offer better service at lower rates.'"

But the truth of the matter, Luna said, is that although crews have been reduced nearly 60 percent since 1945, passenger service has been "virtually demolished, other service has deteriorated and freight rates have climbed 92 percent."

Asserted that the Association of American Railroads' resurrection at great expense of "a smear term long discredited by

nearly every responsible element in the industry" does "less than nothing for its client members," Luna declared:

"Few employees in any industry work harder than does the railroad man—and their employers know it. They know, too, that the operating railroad worker, whose statistical prospects for getting killed on the job are 10 times greater than those of his counterpart in the average factory, does not deserve to be vilified by the industry his blood, sweat and brain helped make great."

### FACTS SPELLED OUT

In marshalling facts, figures and court decisions to repudiate the AAR's massive advertising campaign in an extensive statement issued in Cleveland last Friday, Luna pointed out, among other things, that:

● Four years ago the chairman of an arbitration board that permitted a cut in the number of firemen's jobs testified that the Board thought the railroads could eliminate about 6,000 firemen-helpers' jobs. But the railroads have subsequently eliminated over 18,000.

● In July, 1967, the U. S. District Court of Appeals for the District of Columbia ordered firemen-helpers restored to crew runs in Washington and Oregon. Although this decision was affirmed by the U. S. Supreme Court, there has been only a token compliance by a few of the railroads, he said.

"We don't presume to tell the Association people how to run their business," Luna said, "but we sincerely feel that they, their employees and the nation would be much better off if they would get down to serious collective bargaining with us on the issues."

### A Debt of Gratitude

"The American workmen who transformed the formulas, the equations, the thoughts into hardware—hardware that to us was really a living, breathing, magnificent piece of machinery—to the American workmen, we owe a special debt of gratitude."—Colonel Frank Borman, Apollo 8 astronaut to the Joint Session of Congress.

## Labor Pokes Search for Gypped Workers

To press the search for hundreds of workers cheated out of wages due them by employer violations of the Fair Labor Standards Act, the State AFL-CIO this week sent letters to the last known address of hundreds of California workers entitled to back wages ranging in some cases up to nearly \$500.

The letter informs the worker that he is one of more than 3,800 workers nationally entitled to back wages totalling \$400,000 recovered by the Labor Department after investigation of employer violations of the FLSA. Thos. L. Pitts, Secretary-Treasurer of the California Labor Federation, AFL-CIO, said.

It urges the worker to write to: Administrator, Wage and Hour and Public Contracts Division, U. S. Department of Labor, Washington, D. C., to request the back wages due and advises the worker to include his name, present address, recent employer and Social Security number to help identify his case and speed action on it.

The names of more than 200 California workers entitled to such back wages were published in the California AFL-CIO News of January 31, 1969.

The back wages of workers that the Labor Department is unable to locate will revert to the U. S. Treasury, not to the employer who violated the law.

## IUD To Stress Purpose, Not Image

The AFL-CIO Industrial Union Dept. is moving toward a future "more meaningful than its past by concentrating on its purpose rather than its image," IUD Pres. I. W. Abel has emphasized.

Abel reported that IUD's "on-going operations" in bargaining and organizing are achieving "marked success." But, he emphasized, "this is not good enough. We are going to do better . . . by concentrating our whole attention on the real purpose of the IUD, service to the industrial unions which comprise it, all of them, small and large alike."

## U.S. Pay Floor Hike Benefits Two Million

More than 2 million of America's lowest-paid workers became eligible for a pay raise to \$1.30 an hour on Feb. 1—when the third step of the 1966 amendments to the Fair Labor Standards Act went into effect.

On the same date, 1.5 million persons who had not previously been covered by the law moved under its protection. More than half of them are employees of smaller retail stores; most of the remainder work in restaurants, hotels and motels.

### NO CHANGES FOR MOST

There is no change in the wage-hour protection for most of the 44 million workers covered by federal law. Their minimum pay guarantees went up to \$1.60 a year ago and, with a few exceptions, their maximum straight-time hours have been pegged at 40 for many years.

Workers who will benefit by the Feb. 1 change come from the group brought under the wage-hour law for the first time by the 1966 amendments.

This group includes nearly 9 million persons who were brought under the law at a \$1 minimum two years ago, raised to \$1.15 last year and to \$1.30 this year. Some occupations are exempt from hours coverage, but for most in this group the straight-time limit drops this year to 40 hours a week after having been pegged at 44 hours the first year and 42 hours last year.

### \$1.30 PAY FLOOR

The 1.5 million newly-covered workers move in at the same \$1.30 level as if they had come under the law two years ago.

About half of the new group and about 1.3 million of the group moving up from the \$1.15 wage guarantee now earn less than \$1.30 an hour and will benefit immediately from the higher rate, the Labor Department estimated.

Their wage increases will add up—again an estimate—to \$505 million a year, all going to workers earning poverty-level incomes.

Restaurant, hotel, motel and farm employees remain exempt from the maximum hours provision of the law and where workers receive more than \$20

## Fed Bills in Hopper to Update State Jobless Pay Program

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calls for the enactment of the following measures to modernize and improve the state's unemployment compensation program:

AB 294 would increase from 26 weeks to 39 weeks the maximum duration of benefits payable during one year. The current 26 weeks of eligibility is not long enough for many unemployed persons with families to support.

AB 295 would increase the maximum weekly unemployment insurance benefit from \$65 to \$86. "With average weekly wages in covered employment now at \$134 in California, such an increase is essential to provide the level of benefits appropriate under the program," Thos. L. Pitts, Secretary-Treasurer of the State AFL-CIO said.

AB 296 would boost the amount of wages that could be earned by an individual eligible for unemployment benefits, without affecting the amount of the benefit, from \$12 to \$25 per week.

AB 297 would prohibit an individual from being disqualified for unemployment insurance under two sections relating to availability of an individual for work when that disqualification in both cases is based on the same facts.

a month in tips, employers can credit tips towards up to half the amount of the minimum wage.

The workers newly covered this year are those working in establishments which do at least \$250,000 gross volume of business a year. Last year, only places doing more than a \$500,000 business were covered.

Except for farm workers, all those covered by the \$1.30 step this year will have their wage guarantee lifted to \$1.45 next Feb. 1, and to the standard \$1.60 level on Feb. 1, 1971.

Before that date arrives, of course, Congress may have boosted the minimum wage—a major legislative goal of the AFL-CIO. Former Labor Sec. Willard Wirtz, before he left office, urged a two-step raise to \$2 an hour, including farm workers.

AB 298 would set \$15,000 as the maximum amount of wages per year subject to unemployment insurance contributions.

AB 299 would extend unemployment insurance coverage to agricultural, domestic, non-profit and public employees.

AB 300 would provide that a person does not lose his eligibility for unemployment insurance if he leaves his job during a trade dispute when the employer is found guilty of an unfair labor practice by a federal or state agency.

AB 301 would provide that an individual shall not be deemed to have left work without good cause or to have been discharged for misconduct connected with his work when his employment is terminated because a garnishment is filed against his wages.

AB 302 would establish new guidelines for benefit disqualification under the unemployment insurance system.

AB 303 would include wages received by an employee in tips in the computation of his unemployment insurance benefits.

The bills are expected to be referred to the 14-member Assembly Finance and Insurance Committee chaired by Assemblyman William T. Bagley (R-San Rafael).

Under present law, the minimum pay for covered farm workers—and only those on large farms are covered—doesn't go any higher than the new \$1.30 level. The cutoff was part of the compromise necessary in 1966 to achieve the breakthrough of bringing farm workers under the Fair Labor Standards Act for the first time.

A Labor Dept. study indicates that about 26 percent of the 532,000 covered farm workers will need wage increases to reach the \$1.30 level—the great majority of them in the South.

### New Hampshire First

New Hampshire enacted the first state law establishing 10 hours as a legal workday in 1847.

## IAFF Asks Action To Safeguard Fire Fighters

The Intl. Association of Fire Fighters, many of whose members have been the target of snipers and rioters in civil disturbances in recent years, have called on local communities and the federal government to take immediate steps for their protection.

The recommendations stem from a report of a 13-member committee set up by IAFF President W. M. McClellan last November. The committee's findings and recommendations are published in an IAFF manual titled "Fire Fighters Fight Fires, Not People."

### PROTECTION URGED

Endorsed by the executive board of the 136,000-member union, the recommendations call for immediate revamping of fire service procedures and establishing protective operations to safeguard fire fighters against snipers and mobs.

The committee urged that fire fighters be equipped with protective clothing and that all new fire apparatus be designed to offer protection from gunfire and thrown missiles. It also suggested that the fire service officer at the scene be given power to decide when to withdraw fire fighters during a disturbance and that any attempt to arm fire fighters be resisted.

### FUNDS NEEDED

The union also called on Congress to make adequate funds available for the Fire Safety Act of 1968 which so far, has been ineffective since no money has yet been appropriated to enforce it.

The committee recommended that the IAFF undertake a wide-ranging program of research and education to guide public officials on the needs and procedures of protecting fire fighters.

### Where Women Work

Although women worked in all occupations in 1968, the largest number (9.9 million) were employed in clerical jobs. About 4.3 million were service workers (excluding private households), 4.1 million were operatives, and 4.0 million were in professional and technical occupations.

# State AFL-CIO Hits Reagan Tax Plan as Aid To Rich

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meeting the state's many needs in the fields of education, housing and jobs—then the money should be used to reduce the heavy burden of regressive property taxes," Pitts said in a letter sent to the Governor last Monday and made public Wednesday.

The Labor Federation's Executive Officer pointed out that the Governor's tax proposal would mean a cut of only about \$2 for a home owner with three dependents and an annual income of \$8,000 while a homeowner with three dependents and an income of \$32,000 would get a tax cut of about \$150 and wealthier persons even more.

A \$2 tax cut "is hardly a consequential amount" and

would "bitterly disappoint" any homeowner who had erroneously concluded (from the Governor's statement that) he was to get "meaningful tax relief," Pitts said.

But if the \$100 million surplus were distributed on a per capita basis to all homeowners eligible to receive the \$70 relief authorized by passage of Proposition 1A last November, each homeowner would benefit by an additional \$50 cut in property taxes, he pointed out.

"Coupled with the \$70 in tax relief already slated, this amounts to a significant reduction in property taxes," Pitts said.

Noting that Reagan has repeatedly stated that the prop-

erty tax "is inelastic and highly regressive and makes it impossible for many of modest income to continue living in and owning their own homes," Pitts declared:

"We feel that a most equitable way to distribute the \$100 million 'surplus' would be to provide each homeowner with \$50 in property tax relief. After all, low and middle-income taxpayers, not the wealthy, are most in need of tax relief."

Another alternative, he suggested, would be to raise the \$750 homeowners' exemption to approximately \$1,250.

"This too would provide meaningful tax relief to hard-pressed low and middle-income homeowners," Pitts pointed out.

## Two More U.S. Cities Outlaw Strikebreakers

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eight years and the first to be passed in 1969.

Described as Citizens' Job Protection measures, they are designed to prevent unscrupulous employers from hiring professional scabs during strikes or lockouts. The measures prohibit professional strikebreakers from accepting or seeking such employment and ban strikebreaking agencies from supplying professional strikebreakers.

In California, the California Labor Federation is pressing for action on AB 119, a bill introduced by Assemblyman David Roberti (D-Los Angeles) at the Federation's request, which is designed to outlaw the use of professional strikebreakers throughout the state.

## Deadline for Medicare Signup Nears

A last chance to sign up for Medicare's supplementary medical insurance covering doctor bills is being offered persons born before Oct. 2, 1901, and for those who were enrolled in the plan earlier, but dropped out before Jan. 2, 1967.

Both the Social Security Administration and the Railroad Retirement Board have sent out reminders that people in either of these categories have only until April 1 to sign up for the insurance, known as Medicare "Part B."

Others eligible to sign up at this time are employees and their wives who have recently attained 65 or will reach that age before April 1, other persons 65 and over who did not previously enroll, and other dropouts from the plan who wish to re-enroll.

Social Security beneficiaries and civil service annuitants should enroll at their nearest social security office. Persons under railroad retirement may sign up at a Railroad Retirement Board office or through cards being sent out by the board.

## Court Upholds Public Workers' Rights

(Continued from Page 1)

teenth Amendment.

The court specifically rejected the traditional argument that public employees "have no federally protected right to be continued in public employment."

The ruling also establishes that public employees may bring suit in federal court for compensatory and punitive damages, as well as attorneys' fees, against individuals who interfere with their constitutionally-protected rights.

The SCME suit was brought against a North Platte city commissioner as an individual, since a direct suit against a

state or political subdivision is barred by the Eleventh Amendment of the Constitution.

In its opinion, the court quoted an earlier ruling that the right of assembly protects more than "the right to attend a meeting; it includes the right to express one's attitude or philosophies by membership in a group or by affiliation with it or by other lawful means."

Ronald Rosenberg, SCME counsel, said the ruling "makes clear that any statutes barring public employees from joining unions, or discriminating against workers for joining unions, are unconstitutional."

Alabama, for example, has a

law prohibiting state employees from joining unions that, until now, has not been successfully challenged.

"We have every reason to expect that federal courts in other jurisdictions will follow the ruling rendered by the Eighth Circuit," Rosenberg said.

SCME Pres. Jerry Wurf said the ruling "supports our beliefs that public employees are entitled to the fundamental right to join a union that is now enjoyed by nearly all workers in private industry."

"This is only a first step toward equality for the public employee," he added. "For the legal right of an employee to join a union to be effective, there must also be a law requiring recognition of the union as the employees' representative. And we must also have a law requiring that public officials participate in good-faith collective bargaining with the organization chosen by the employees as their representative."

"These are basic rights in a free society," he asserted. "We are gratified with the unanimous court opinion that provides the first of these necessary steps."

## Time Lost In Strikes Is Third of 1% of Total

Although some 2.6 million workers were forced to go on strike last year in the course of negotiating some 4,950 collective bargaining contracts, working time lost was less than one-third of one percent of time worked, according to the U. S. Bureau of Labor Statistics. The BLS noted, however, that 1968 was the most serious year for strikes since 1959.

## Connolly Renamed To Comp. Appeals Board

Alvin B. Connolly has been reappointed to a four-year term on the State Workmen's Compensation Appeals Board by Governor Reagan.

Connolly, 58, a Republican of San Mateo, has been a member of the Board—formerly known as the State Industrial Accident Commission—since 1964. The post pays \$30,572.



# DIGEST OF BILLS

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No bill may be taken up until 30 days after the date of introduction indicated in Digest, except by 3/4 vote.

## 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-N.C.** Labor Unions, Special  
**LU** Labor Unions, General  
**MI** Miscellaneous  
**PH** Public Health  
**RE** Recreation

**S** Industrial Safety  
**SL** State & Local Government  
**TA** Taxation  
**TR** Training & Retraining  
**UI** Unemployment Insurance  
**WC** Workmen's Compensation  
**WP** Water and Power  
**H.A.D.** Held at Desk

The bills are classified "Good," "Watch," "Bad" and "N.C." With respect to the classification, "N.C.," the proposed legislation is class or special legislation and the information relative to these bills contained in the Digest is printed for the information of affiliates who are involved but the bill is not classified "Good," "Watch" or "Bad," since we defer to the wishes of affected affiliates on the classification of these measures. "H.A.D." designates a bill "Held At Desk" and indicates that the bill has not yet been assigned to a committee.

## ASSEMBLY BILLS

**AB 1 Badham** (N.R. & Con.) Establishes the Dana Point and Doheny Beach Marine Life Refuges of undesignated area. Authorizes the taking in such refuges, under the authority of a sport fishing license, of certain designated fish, mollusks, and crustaceans and prohibits taking any other fish or form of aquatic life except under permit from the Department of Fish and Game. To take effect immediately, urgency statute. Jan. 7. **LS-N.C.**

**AB 2 Bagley** (Rev. & Tax.) Creates a Department of Revenue to be administered by a director appointed by the Governor at a salary of \$26,000 per year.

Transfers to the department the functions of the State Board of Equalization relative to sales and use taxes, gas and diesel taxes, truck taxes, cigarette taxes; the functions of the Franchise Tax Board relative to personal income and bank and corporation taxes and property tax assistance to senior citizens; and the functions of the State Controller relative to inheritance, gift, gas, truck, insurance taxes and oil and gas conservation and subsidence abatement district assessments

except that the department shall not succeed to the powers of the Controller regarding inheritance tax appraisers unless the Legislature reforms the power of the Controller to make pleasure appointments of such appraisers prior to July 1, 1971.

Creates a Board of Tax Appeals consisting of three members appointed by the Governor at a salary of \$25,000 per year for the chairman and \$24,500 for the other two members, such board to hear appeals on various matters decided by the department.

Provides for the right of judicial review regardless of whether an appeal is taken. Provides for the right of the department to bring suit on issues exceeding \$5,000 in tax where board decision is against department.

Abolishes the Franchise Tax Board and the office of its executive officer.

Permits director to be appointed at any time after the effective date of the bill, although department will not assume its duties until July 1, 1971.

Makes necessary changes in related statutes. Jan. 7. **SL-Watch**

## KEY TO ASSEMBLY ABBREVIATIONS

Committee Abbreviations	Committee
(Agr.)	Agriculture
(C. & P.U.)	Commerce and Public Utilities
(Crim. Pro.)	Criminal Procedure
(Ed.)	Education
(Elec. & C. A.)	Elections and Constitutional Amendments
(Fin. & Ins.)	Finance and Insurance
(Gov. Adm.)	Government Administration
(G.O.)	Governmental Organization
(H. & W.)	Health and Welfare
(Intergov. R.)	Intergovernmental Relations
(Jud.)	Judiciary
(Labor R.)	Labor Relations
(L. Gov.)	Local Government
(N.R. & Con.)	Natural Resources and Conservation
(P.E. & Ret.)	Public Employment and Retirement
(Rev. & Tax.)	Revenue and Taxation
(Rls.)	Rules
(Trans.)	Transportation
(Urban A. & H.)	Urban Affairs and Housing
(Water)	Water
(W. & M.)	Ways and Means

## KEY TO SENATE ABBREVIATIONS

Committee Abbreviations	Committee
(Agr.)	Agriculture
(B. & P.)	Business and Professions
(Ed.)	Education
(Elec. & Reap.)	Elections and Reapportionment
(Fin.)	Finance
(F. & G.)	Fish and Game
(Gov. Eff.)	Governmental Efficiency
(Inst.)	Institutions
(Ins. & F. I.)	Insurance and Financial Institutions
(Jud.)	Judiciary
(Lab. & Soc. Wel.)	Labor and Social Welfare
(Leg. Rep.)	Legislative Representation
(L. Gov.)	Local Government
(Mil. & Vet. Aff.)	Military and Veterans Affairs
(Nat. Res.)	Natural Resources
(Pub. H. & S.)	Public Health and Safety
(Pub. U. & C.)	Public Utilities and Corporations
(Rev. & Tax.)	Revenue and Taxation
(Rls.)	Rules
(Trans.)	Transportation
(Wat. Res.)	Water Resources

## ASSEMBLY BILLS (Cont'd)

**AB 4 Britschgi (Crim. Pro.)** Provides that court in pending prosecution under Sec. 602.7, Pen.C., for refusal to leave a state college or state university campus or facility, require that defendant, before he can be released on bail or on his own recognizance, as a condition to such release refrain from entering any campus or facility of a state college or state university until a final judgment in the case. Jan. 7. **CR—Bad**

**AB 7 Chappie (Crim. Pro.)** Makes it a misdemeanor for a person engaged in the retail sale of gasoline to give, indirectly or directly, to any of his customers, (a) any chance to win a prize, or (b) any prize, premium, gift, or free goods, other than trading stamps or road maps. Jan. 7. **LS—N.C.**

**AB 16 Stacey (Ed.)** Excludes funds received from the federal government pursuant to Title I of the Elementary and Secondary Act of 1965 from definition of "current expense of education" in provision which requires the expenditure of specified percentages of such current expense of education for payment of salaries of classroom teachers. Jan. 7. **LS—N.C.**

**AB 18 Veneman (Rev. & Tax.)** Revises provisions of Personal Income Tax Law to change the rate schedule to provide for a tax of 1 percent on taxable incomes of \$1,500, instead of \$2,000, at the lower end of the scale, and provides for a tax at the top of the schedule of \$825 on taxable incomes of \$15,000, plus 11 percent of such income in excess of \$15,000 rather than a tax of \$680 on \$14,000, plus 10 percent of the excess. Revises tax brackets in between to conform to this change. Makes related changes in schedule for heads of households.

Deletes credit of \$50 for married couples and heads of households and \$25 for single persons and \$8 for dependents against the income tax and, instead allows a \$600 exemption for the taxpayer, the spouse of the taxpayer and for each dependent, as well as conforming the law in this respect for the blind. Grants and "additional credit" of \$20 for married couples and heads of households and \$10 for single taxpayers.

Increases the standard deduction for single persons from \$1,000 to \$1,250 and increases the standard deduction for married couples and heads of households from \$2,000 to \$2,500.

Provides an additional credit of \$4 in the case of single returns where the tax is \$4 or less than \$8 in the case of joint or head of household returns where the tax is \$8 or less.

Establishes a system of personal income tax withholding by employers to be operative on and after January 1, 1970.

Provides for filing declarations of estimated income to be operative with respect to taxable years beginning after December 31, 1969, with the first declaration due on or before April 15, 1970. Provides that no estimate is required if a taxpayer's liability for the previous year was less than \$40.

Imposes 8 percent penalty, with minimum of \$5 for underpayment of personal income taxes unless an extension was granted and 80 percent of the taxes had been paid by the due date.

Earmarks \$300,000,000 of personal income tax revenue in the 1969-70 fiscal year for capital outlay purposes only.

To take effect immediately, tax levy, and to be applied in the computation of taxes for taxable years beginning on and after January 1, 1969. Jan. 7. **TA—Bad**

**AB 20 Wilson (Ed.)** Authorizes dismissal of state college employee for participating in or inciting any strike or boycott at any state college campus or facility or committing any other act likely to interfere with the peaceful conduct of the educational program or operations of any state college campus or facility.

Appropriates unspecified amount for increase in compensation for instructional and instructional-related employees and administrative and noninstructional employees of the California State Colleges, as established for 1969-1970 fiscal year, of not to exceed 5.2 percent of compensation theretofore payable. Jan. 7. **CR—Bad**

**AB 21 Stacey (Ed.)** Provides that any school district which maintains a work experience education program shall be credited for the a.d.a. of

all students enrolled in such programs, provided such students spend no less than 60 minutes per day in job training stations, and are enrolled in 4 or more subjects, including work experience as one of such subjects.

Requires State Board of Education to formulate rules to provide that such attendance of students in both job training stations and in regular classroom periods shall be reported as if such student were in attendance for a regular schoolday for purposes of determining a.d.a. Jan. 7. **ED—Watch**

**AB 22 Moretti (Rls.)** Requires state agencies to transmit certain funds to local governments under specified conditions. To take effect immediately, urgency statute. Jan. 7. **SL—Watch**

**AB 23 Ketchum (Gov. Adm.)** Provides that all meetings of the Assembly and Senate and the committees thereof shall be open and public except executive sessions regarding the appointment, employment, dismissal or charges against a public officer or employee; executive sessions to consider matters affecting the national security and private political party caucuses.

Operative only if ACA — of the 1969 Regular Session is adopted by the people and at such time. Jan. 7. **SL—Watch**

**AB 24 Gonsalves (Rev. & Tax)** Increases the homeowners' property tax exemption from \$750 to \$2,250 of the assessed value of each dwelling eligible therefor. Jan. 7. **TA—Good**

**AB 26 Deddeh (Rev. & Tax)** Exempts from sales and use taxes property sold to nonprofit museums for display to the public. To take effect immediately, tax levy. Jan. 7. **TA—Watch**

**AB 27 Cullen (Trans.)** Provides that upon receiving notice to appear for violation of statute relating to safe operation of vehicles person shall surrender his driver's license to the officer issuing the notice to appear who shall deposit it with clerk of court specified in the notice. Specifies conditions for return of license. Jan. 7. **MI—Bad**

**AB 30 Burton (Agr.)** Provides for certification by State Conciliation Service, pursuant to prescribed procedures, of collective bargaining representatives of appropriate units of agricultural workers where a majority of the workers voting on the question indicate a desire to be represented by such a representative. Provides that an agricultural employer should bargain with a representative so certified and, if any understanding is reached, that understanding should be embodied, upon request, in a signed agreement.

Declares public policy of Section 923 of Labor Code included in, and shall govern construction of, such provisions. Jan. 7. **LC—Good**

**AB 34 Stull (Ed.)** Establishes Board of Regents of the University of California. Prescribes powers and duties of board, including requirement that board account annually for all moneys received by the university from any source, and submit annually a detailed budget from each campus.

To become operative only if unspecified Assembly Constitutional Amendment of the 1969 Regular Session is approved by the electorate.

Calls for special election on November 3, 1970, for submission to electors of state an undesignated constitutional amendment, relating to the University of California. Jan. 7. **ED—Watch**

**AB 39 Mills (P. E. & Ret.)** Increases the maximum rate of overtime pay which may be granted to state employees from their regular rate of pay to 1 1/2 times their regular rate of pay. Jan. 7. **LS—N.C.**

**AB 40 Milias (P. E. & Ret.)** Revises contribution of employer to employees' basic health plan to provide that amount will be that necessary to pay the cost or \$14, whichever is lesser, rather than the cost or \$8. Provides that such cost shall include cost of enrollment of all family members. Jan. 7. **LS—N.C.**

**AB 41 Milias (P. E. & Ret.)** Appropriates an unspecified amount for increase in compensation for officers and employees of the state including academic and noninstructional employees of the University of

## ASSEMBLY BILLS (Cont'd)

California and state colleges, plus staff benefits. To take effect immediately, urgency statute. Jan. 7. **LS—N.C.**

**AB 42 Crandall (Ed.)** Creates the State Coordinating Council for Vocational Education and prescribes the membership, duties, and responsibilities of the council.

Defines responsibilities of state agencies and local districts for vocational education and provides that the council shall succeed to various duties of State Board of Education. Jan. 7. **ED; TR—Bad**

**AB 47 Bagley (Rev. & Tax.)** Defines "tax" and "tax agency" and provides that the Department of Revenue shall succeed to the powers of various tax officials on July 1, 1971. Makes operative effect of the provisions contingent upon the adoption of a constitutional amendment and an unspecified bill. Jan. 8. **TA—Watch**

**AB 48 Mulford (Ed.)** Requires that, notwithstanding rules and regulations respecting tenure, future employment contracts between a California State College and an academic employee contain a provision terminating the contract if the employee participates in a strike against the college by failing to perform his duties.

Provides that such a provision is deemed to exist in current contracts. Specifically provides that act is an exercise of the police power.

To take effect immediately, urgency statute. Jan. 8. **CR; ED; LU—Bad**

**AB 50 Leroy F. Greene (Elec. & C. A.)** Makes it a misdemeanor to distribute campaign literature mentioning or reflecting on voting record or official actions of incumbent or former public official without submitting copy to incumbent. Provides for appointment of 5-member arbitration boards to investigate and report on violations, upon complaint of incumbent or former public official. Jan. 8. **EL—Bad**

**AB 55 Leroy F. Greene (Elec. & C. A.)** Makes it a misdemeanor for a person to give, pay or receive compensation for securing signatures of electors on any initiative, a referendum or recall petition. Deletes provisions making it a "lawful expense" to pay the cost of securing signatures and circulating petitions, and the salaries and expenses of solicitors. Jan. 8. **EL—Bad**

**AB 59 Ketchum (Ed.)** Expresses legislative findings re disruption of peaceful conduct of activities of campuses by students or academic employees of University of California and California state colleges.

Requires each state college president and each chancellor of a University of California campus, as the case may be, to promptly schedule hearing, make findings thereon, and expel any student and dismiss any academic employee committing any acts of force or violence on a state college or university campus, as the case may be, likely to interfere with the peaceful conduct of the activities of such campus.

Prohibits readmission of students so expelled and reemployment of academic employees so dismissed, respectively, at any state college or the University of California at any time. Jan. 9. **ED—Bad**

**AB 65 Veneman (Rev. & Tax.)** Exempts from sales and use taxation the sale, leasing or use of property acquired for use exclusively in the outer continental shelf in oil, gas or mineral exploration or production.

To take effect immediately, urgency statute. Jan. 9. **TA—Bad**

**AB 66 Veneman (Gov. Adm.)** Changes certain state holidays to fall upon specific Mondays, rather than on dates. Makes similar changes in holidays for state employees.

Provides act shall become operative January 1, 1971. Jan. 9. **SL—Watch**

**AB 70 Lanterman (Ed.)** Provides for the forfeiture of state scholarships upon specified grounds and after notice and hearing. Jan. 9. **ED—Watch**

**AB 75 Collier (Ed.)** Requires University of California or state college student to pay a specified tuition, or defer payment under a learn, earn and reimburse plan.

Authorizes Director of Finance to assign notes executed by student and requires state to guarantee payment by student of assigned note.

Specifies that assignment of note executed by student and guarantee by state of payment by student of assigned note shall become operative only if, and at same time as, ACA ..... passed at 1969 Regular Session is approved by electors.

Requires Director of Finance to administer payment and collection of loan to student pursuant to National Defense Education Act of 1958 and note executed by student pursuant of learn, earn, and reimburse plan.

Permits state income tax deduction of such tuition payments.

Appropriates determinable amount to State School Fund annually, such amount to be in addition to any other amount transferred to such fund.

Requires that state collections on notes be allocated for university and state college support, pursuant to appropriations thereof to be made by Legislature. Jan. 13. **ED—Bad**

**AB 81 MacDonald (L. Gov.)** Permits certain city street construction and maintenance to be done by contract let to the lowest responsible bidder by purchase of materials and contract for the work, or by purchase of materials and day labor. Jan. 13. **LS—N.C.**

**AB 87 Briggs (H. & W.)** Authorizes a county welfare department to refer a welfare recipient to a private employment agency at the same time the recipient is referred to the State Department of Employment. Authorizes county welfare department to enter usual contracts, and pay usual rates, of such agencies. Jan. 13. **SL—Bad**

**AB 88 Pattee (P. E. & Ret.)** Allows a state employee to convert any unused portion of his earned but unused sick leave into vacation at prescribed rates.

States this vacation time is not subject to the restrictions relating to maximum accumulation of vacation as set forth in the State Personnel Board rules and regulations. Jan. 13. **LS—N.C.**

**AB 90 Mobley (N. R. & Con.)** Authorizes specifically the issuance of permits to students regularly enrolled in commercial fishing classes under the jurisdiction of the State Board of Education and faculty members to take fish under specified conditions and to sell or donate all fish taken to a charitable institution.

Specifies that any money received from sale of fish is to be used solely for the support of the commercial fishing classes. Jan. 13. **LS—N.C.**

**AB 95 Leroy F. Greene (Ed.)** Requires school district, with approval of county superintendent of schools, rather than Superintendent of Public Instruction, to pay tuition to parent or guardian of physically handicapped minor, mentally retarded minor, severely mentally retarded minor or multiply handicapped minor in private or public nonsectarian school, institution, or agency, within or without state, when special education facilities and services needed are not available under any district, county, or state public school program and cannot be reasonably provided because of the cost or distance involved. Makes such provisions permissible with respect to educationally handicapped minors. Establishes priorities re such educational facilities and services.

Requires private nonsectarian schools, institutions, or agencies enrolling such exceptional minors to submit yearly progress reports to county superintendent of schools.

Makes provision re inclusion and exclusion of specified tax rates for purposes of determining allowances for such tuition payments and specifies limit on allowances for multiply handicapped minor.

To be operative July 1, 1970. Jan. 13. **ED—Watch**

**AB 96 Quimby (P. E. & Ret.)** Reduces the length of time a wife must be married to a patrol member in order to receive benefits from one year to nine months.

To take effect immediately, urgency statute. Jan. 13. **LS—N.C.**

**AB 98 Hayes (Elec. & C. A.)** Makes it a crime for a person to misappropriate any money or thing of value in an initiative, referendum or recall campaign. Declares that money raised to promote such campaigns cannot be used to pay personal expenses. Jan. 13. **SL—Watch**

## ASSEMBLY BILLS (Cont'd)

**AB 102 Bill Greene (Crim. Pro.)** Limits use of wards in juvenile homes, ranches, camps, or forestry camps in fire suppression work except under specified conditions. Jan. 13. **LS—N.C.**

**AB 103 Burton (Ed.)** Provides for establishment of seven-member San Francisco State College Board of Governors, to be appointed by Governor from nominations submitted by Board of Supervisors of City and County of San Francisco, for four-year staggered terms commencing on July 1, 1970. Provides for filling vacancies on board and filling expired terms of office. Authorizes board to adopt rule and regulations re its government and to carry out all powers and responsibilities vested in it.

Provides that board succeeds to Trustees of California State Colleges with respect to management, administration, and control of San Francisco State College commencing on July 1, 1970. Jan. 14. **ED—Watch**

**AB 106 Powers (Gov. Adm.)** Prohibits a career executive assignment designation of a newly created position, the functions of which are performed by a member of the civil service prior to the creation of the new position. Jan. 14. **LS—N.C.**

**AB 110 Powers (P. E. & Ret.)** Removes interests of economy as ground for laying off civil service employee. Permits civil service employee to elect equivalent position in addition to other alternatives in lieu of layoff. Requires that State Personnel Board furnish employee electing transfer to position of equivalent responsibility, work and salary with list of such positions available and that employee be transferred to position he elects. Permits civil service employee electing a transfer in lieu of layoff, to return to his former position if such is reestablished. Jan. 14. **LS—N.C.**

**\*AB 119 Roberti (Labor R.)** Makes it a misdemeanor for an employer willingly or knowingly to utilize any professional strikebreaker, as defined, to replace an employee or employees involved in a strike or lockout at a place of business within this state.

Makes it a misdemeanor for any professional strikebreaker willingly or knowingly to offer himself for employment or to replace an employee or employees involved in a strike or lockout at a place of business within this state. Jan. 15. **LC—Good**

**AB 122 Schabarum (G.O.)** Requires Division of Industrial Welfare to appoint such staff as needed to carry out its duties, and to loan to Industrial Welfare Commission such personnel, to be under the supervision of chief of division, as needed by commission to perform its functions, rather than authorizing division to appoint secretary and other assistants needed by the Industrial Welfare Commission.

Redefines "minor," as used in provisions re minimum wages and maximum working hours, to mean any person under 18 years, rather than 21 years.

Requires all orders of commission to include statement as to basis on which order is predicated and to be concurred in by a majority of the commissioners.

Authorizes orders of commission to be promulgated during the first three calendar months of the year, to be effective on date fixed by the commission, not less than 60 nor more than 90 days from publication thereof. Jan. 15. **LC—Bad**

**AB 123 Wakefield (Ed.)** Requires students of a state college to be placed on probation, suspended or expelled by president of that state college for disorderly, unethical, vicious, or immoral conduct or misuse, abuse, theft or destruction of state property. Limits period of suspension or probation to maximum of 12 months. Provides for disposition of any fees paid. Requires that parents or guardians of minors be notified of such suspension.

Provides that the expulsion of a student shall be in accordance with hearing procedures which shall be established by the state college in which he is enrolled.

Makes technical changes. Jan. 16. **CR; ED—Bad**

**AB 126 Bee (Ed.)** Requires the Department of Education to establish uniform standard concerning qualifications, employment transfer, and advancement of teacher aides.

Appropriates unspecified amount to Department of Education to carry out provisions of this act. Jan. 16. **LS—N.C.**

**AB 130 Karabian (Ed.)** Provides that the governing board of any school district or county superintendent of schools may establish and maintain a summer program of tutoring, counseling, and other academic assistance for students who may be capable of completing their secondary education but who may terminate such education prior to completion. Requires submission of proposed program to State Board of Education for approval and provides for allocation of amount necessary to meet cost of approved program.

Requires that the governing board or county superintendent of schools shall employ college students with economic, social, and cultural backgrounds similar to the students in such program to conduct such program.

Appropriates \$400,000 to carry out purposes of the act. Jan. 16. **LS—N.C.**

**AB 132 Fenton (Fin. & Ins.)** Permits purchaser to cancel home solicitation sales contract or offer subject to approval for goods or services as defined, until seller complies with requirement in bill that contract advise of right to cancel and buyer be furnished with form for canceling, or, if such requirements are complied with, until midnight of second calendar day, excluding Sunday, after day on which purchaser signed agreement or offer to purchase. Defines "home solicitation contract or offer" as contract or offer made at other than appropriate trade premises, i.e., premises at which owner or seller normally carries on a business or where goods are normally offered or exposed for sale in the course of a business carried on at those premises, and which is for more than \$50. Excludes contracts for emergency repairs or services which are necessary for the immediate protection of person or real or personal property.

Requires contract to contain notice to purchaser of his right of cancellation in prescribed form and be accompanied by a form for notice of cancellation in prescribed form.

Provides procedure for cancellation and prescribes seller's and buyer's duties after cancellation.

Specifies that any waiver of the provisions of these sections is void and unenforceable. Jan. 16. **MI—Watch**

**AB 136 Veysey (Ed.)** Changes the article and section numbers of provisions enacted by Ch. 1371 of the 1968 Stats. to a suitable place in the portion of the Education Code revised in 1968, without substantive change. Jan. 16. **ED—Watch**

**AB 138 Townsend (Labor R.)** Defines "electrical inspector" and requires certification by the Division of Industrial Safety, Department of Industrial Relations, of electrical inspectors employed on or after January 1, 1970, by any city, county, district, or other public agency of the state to inspect the workmanship, or the materials in the construction, installation, alteration, operation or repair of electrical wires, cables and various electrical units. Prescribes fees for issuance and renewal of certificates and procedure for the issuance, revocation and suspension of certificates. Creates the division's Electrical Inspectors Fund and continuously appropriates money in the fund to the division for expenditure in carrying out and enforcing these provisions. Makes persons employed at passage of this act as electrical inspector eligible to receive a certificate without examination. Jan. 20. **LS—N.C.**

**AB 156 Mobley (Fin. & Ins.)** Permits public agencies to insure against their liability for workmen's compensation with any authorized workmen's compensation insurer as well as with State Compensation Insurance Fund. Jan. 20. **WC—Bad**

**AB 176 Quimby (Fin. & Ins.)** Prohibits any person engaged in financing purchases or making loans from requiring a purchaser or borrower to obtain insurance from a particular insurer as well as to negotiate any insurance through a particular insurance agent or broker; grants purchasers and borrowers free choice of admitted insurer as well as insurance agent or broker; reduces from 30 to 15 days the time prior to expiration of a policy before which a purchaser or borrower must



## ASSEMBLY BILLS (Cont'd)

deliver to the lender a substitute or renewed insurance policy.

Makes prima facie evidence that no violation of Section 770 has occurred, a written declaration by the purchaser or borrower that he has voluntarily chosen the insurer as well as the insurance broker or agent and that the selection was not a condition precedent to the purchase or loan and the handwritten authorization and selection by the purchaser or borrower of his chosen insurer as well as insurance agent or broker, by name. Jan. 20. **MI—Watch**

**\*AB 177 Quimby (Gov. Adm.)** Requires Regents of University of California to provide for administration of payroll deductions for dues to be paid to any bona fide labor organization upon written authorization signed by an employee. Jan. 20. **LU—Good**

**AB 180 Miller (P.E. & Ret.)** Requires State Personnel Board to furnish a copy of a proposed decision of board to each party to a disciplinary proceeding within 10 days.

Requires board to notify each party if proposed decision is not adopted rather than to furnish copy of proposed decision.

Requires board to take oral and written testimony in disciplinary proceeding rather than one or the other. Jan. 20. **LS—N.C.**

**AB 182 Warren (Gov. Adm.)** Makes the California Fair Employment Practice Act applicable to discrimination because of sex.

Deletes obsolete provision re effect of California Fair Employment Practice Act on proceedings pending on September 18, 1959 (the effective date of the act) under local ordinances. Jan. 20. **LC—Good**

**AB 187 Wakefield (Ed.)** Provides that if any person serving as an appointive member of the Trustees of the California State College is absent from three consecutive regular meetings or is absent from at least 25 percent of all meetings in any one-year period of time, he shall forfeit his office and a vacancy therein is created. Requires Governor to appoint successor for balance of term. Prohibits Governor from reappointing such person to fill the vacancy. Jan. 20. **SL—Watch**

**AB 188 Wakefield (Ed.)** Requires student who registers for admission to any of the California State Colleges or the University of California, to sign card stating that he agrees to abide by the rules and regulations set forth by the regents or the trustees and understands that failure to do so constitutes grounds for expulsion.

Declares that act is statewide concern and necessary for the public peace, health and safety. Jan. 20. **ED—Bad**

**AB 190 Burton (G.O.)** Provides that Advisory Commission on the Status of Women report its findings and recommendations to the Legislature not later than the fifth legislative day of the 1971 Regular Session, rather than the fifth legislative day of the 1969 Regular Session.

Provides that act creating the Advisory Commission on the Status of Women shall be operative until June 30, 1971, rather than June 30, 1969.

To take effect immediately, urgency statute. Jan. 20. **MI—Watch**

**AB 192 Waxman (Ed.)** Enables a student political organization which is affiliated with the official youth division of any political party that is on the ballot of the State of California to hold meetings and distribute information concerning its meetings (provided there is no endorsement of such organization by the school authorities and no interference with the school's regular educational program) on a high school campus. Jan. 20. **ED—Watch**

**AB 193 Veneman (Rev. & Tax.)** Codifies existing provisions relating to the Property Tax Relief Fund and increases the exemption for business inventories from 15 to 22 percent, commencing with the lien date in 1970. Increases subventions to local government from this fund, beginning with the 1970-71 fiscal year.

Reduces \$90,000,000 earmarked annually by statute for capital outlay purposes to \$68,000,000, commencing with the 1970-71 fiscal year, and provides that prepayments under the Bank and Corporation Tax Law shall not be reduced for income years beginning on and after January 1, 1970, from 50 percent and 25 percent of estimated tax to 30 percent and 20 percent, respectively.

Requires the Franchise Tax Board to estimate the revenue to be de-

rived from this change in the Bank and Corporation Tax Law and earmarks such revenue for capital outlay purposes.

Makes various related and conforming changes.

To take effect immediately, urgency statute. Jan. 20. **TA—Bad**

**AB 195 Veneman (Rev. & Tax.)** Provides that specified sums in the Motor Vehicle License Fee Fund be transferred to the credit of a special account in the General Fund for disbursement by the State Controller to counties and cities, rather than having such sums being disbursed by the Controller from the Motor Vehicle License Fee Fund.

Permits cities and counties to use such funds for city and county purposes, rather than requiring that such funds be used solely for purposes of general interest and benefit to the state.

To take effect immediately, urgency statute. Jan. 20. **TA—Watch**

**AB 196 Veneman (Rev. & Tax.)** Provides for transfer to the credit of a special account in the General Fund from the Cigarette Tax Fund, 30 percent of the money in such fund, to be disbursed by the State Controller to the cities and counties of the state, rather than the Controller allocating 30 percent of the money in the Cigarette Tax Fund to the cities and counties of the state. Permits such funds to be used for city and county purposes rather than requiring that such funds be used solely for purposes of general interest to the state.

To take effect immediately, urgency statute. Jan. 20. **TA—Watch**

**AB 203 Crown (H. & W.)** Revises requirements relating to the labeling of drugs with the name of the manufacturer, packer, and distributor and requires that the expiration date of the effectiveness of the drug be placed on the label. Prohibits the sale of a drug after the expiration date of effectiveness of the drug which is stated on the label of the drug or the possession of a drug by a person licensed to dispense drugs, by drug wholesalers, or by other persons who sell or distribute drugs more than 60 days after the expiration date of effectiveness of the drug which is stated on the label of the drug.

To become operative July 1, 1970. Jan. 20. **MI—Watch**

**AB 205 Ketchum (Labor R.)** Provides that no employer in this state shall pay his employees less than the federal minimum wage. Jan. 21. **LC—Watch**

**AB 206 Ketchum (Labor R.)** Deletes authority of Industrial Welfare Commission to fix minimum wages for women and minors. Jan. 21. **LC—Bad**

**AB 207 Townsend (Ed.)** Provides that no credential, certificate, or certification document shall be required of any person employed by county, district, or districts in regional occupational program, as well as in regional occupational center, operated and maintained by such county, district or districts.

Specifies that until sufficient qualified instructors are available, rather than until 61st day after final adjournment of 1969 Regular Session of Legislature, that credentials are not required of employees of regional occupational centers or programs although such employees for other purposes are considered to be employed in certificated positions. Jan. 21. **LS—N.C.**

**AB 210 Veysey (Fin. & Ins.)** Makes unemployment insurance law applicable to agricultural labor. Defines "agricultural labor" and other related terms. Prohibits agricultural wage from being used in computing unemployment compensation benefits unless claimant is resident of California at time he files for such benefits. Requires, to establish valid claim, that if "agricultural wages," as defined, are included in base period wages, the claimant has been paid not less than \$150 in each of four calendar quarters of his base period. Authorizes employer of agricultural labor to file with Director of Employment a written election that such wages paid to individuals in his employ not be subject to \$150 requirement.

States changes made in Section 1 to 16, inclusive, shall be operative with respect to wages paid on and after the first day of the first complete calendar quarter beginning on or after the effective date of this act.

Makes related changes; deletes inconsistent provisions. Jan. 21. **UI—Watch**

## ASSEMBLY BILLS (Cont'd)

**AB 216 Belotti (N.R. & Con.)** Removes expiration date on seasons for the commercial taking of crabs. Jan. 21. LS—N.C.

**AB 219 Bagley (G. O.)** Requires meetings of Regents of University of California to be open to public, except when considering appointment, employment or dismissal of university officer or employee or charges against such officer or employee; but specifies that as condition to holding such executive session officer or employee shall be given written notice of his right to a public hearing which notice shall be delivered to him at least 24 hours before the time for holding the meeting, and that if notice is not given, any disciplinary or other action against officer or employee at such executive session shall be null and void.

Excepts meetings to consider matters relating to national security, the conferring of honorary degrees or other honors, matters involving gifts, devises and bequests which the donor has requested to be kept confidential, and matters involving purchase and sale of investments for endowment and pension funds.

To be operative only if ACA ..... is approved by the electors. Jan. 21. ED—Watch

**AB 222 Pattee (Ed.)** Provides for suspension for one term or semester of academic employees and students convicted of a crime occurring on the property of a state college during a period of a state of emergency declared by trustees of state college.

Prescribes administrative procedures. Jan. 21. CR; ED—Watch

**AB 223 Pattee (Ed.)** Prohibits recognition by state college officials of student and faculty organizations which disburse their funds to organizations showing discrimination or not electing their leaders by secret ballot, which do not maintain public records of their income and disbursements, or which disburse funds to persons in excess of expenses actually incurred on behalf of the organization.

Prohibits use of facilities at a state college by student or faculty organizations not recognized by the officials of that state college. Jan. 21. ED; CR—Watch

**AB 226 Bill Greene (Fin. & Ins.)** Provides that no agreement between a buyer and seller on a conditional contract for sale of motor vehicle which provides for the services of seller in assisting the buyer in obtaining a loan from any third party to be used as down payment or any other payment where security is buyer's real property shall be enforced. Jan. 21. MI—Watch

**AB 228 Wakefield (H. & W.)** Requires food handlers in restaurants to be certified before employment, and every two years thereafter, as free from tuberculosis, hepatitis, and venereal disease. Jan. 21. LS—N.C.

**AB 230 Deddeh (Ed.)** Provides that upon retirement for service, a certificated employee shall be entitled to receive a lump-sum payment as of the time of retirement for one-half of any unused and accumulated sick leave that was accumulated in the last district in which such employee served prior to retirement. Provides for computation of such lump sum.

Specifies that not more than 30 days of such unused and accumulated sick leave shall be utilized for such computation. Jan. 21. LS—N.C.

**AB 231 Wakefield (Ed.)** Prohibits governing board of school district from bussing a pupil for the purpose of integration without the written permission of the parent or guardian. Jan. 21. ED—Watch

**AB 234 Deddeh (Rev. & Tax.)** Excludes federal manufacturers' or importers' excise tax from "sales price" and "gross receipts" for purposes of sales and use tax.

To take effect immediately, tax levy, but to become operative on September 1, 1969. Jan. 22. TA—Watch

**AB 241 Briggs (Ed.)** Includes probationary school teachers within provisions under which the employment of teachers who have reached the age of 65 is on a year-to-year basis at the discretion of the district governing board. Jan. 22. LS—N.C.

**AB 247 Britschgi (Ed.)** Prohibits giving of instruction in sex education in grades kindergarten through 8 except by state licensed physician

and surgeon or registered nurse. Jan. 22. ED—Watch

**\*AB 250 Chappie (Labor R.)** Requires the Division of Industrial Safety to consult with complaining parties or organizations at time of safety inspection and to transmit to them the report and finding as to the safety inspection. LC—Good

**\*AB 251 Deddeh (Agr.)** Provides that every person who by himself or his employee or agent, or as the employee or agent of another sells any commodity according to any weight, measure or count that is greater than true net weight, measure or count is guilty of a misdemeanor.

Eliminates exception to provision making it unlawful to sell or advertise for sale any dressed poultry or other fowl or rabbit in dressed form, or meats or fish other than by weight determined at time of sale on scales properly sealed.

Eliminates specific authority of Director of Agriculture to adopt regulations with respect to specified procedures to be followed by sealers, to the establishment of tolerances and specifications for commercial weighing and measuring apparatus, and to the establishment of a standard or standards or net weight or net measure or net count of specified commodities.

Eliminates specific authority of Department of Agriculture to establish tare or tares for specified edible agricultural commodity containers.

Revises provision exempting commodities packaged in containers complying with any act of Congress or rules and regulations adopted thereunder.

Makes related changes. Jan. 23. MI—Good

**\*AB 252 Foran (Gov. Adm.)** Grants first priority to specified claims for wages, salaries or fringe benefits of employees of a seller or transferor of an alcoholic beverage license in distribution of consideration exchanged for such license when consideration not sufficient to pay claims of creditors of seller or transferor in full. Jan. 23. LI—Good

**AB 253 Biddle (Crim. Pro.)** Authorizes issuance by superior court, on application of Attorney General or district attorney, of order authorizing interception of wire and oral communication, by electronic or mechanical device, as defined. Prescribes form and content of application for order and of order, period of effectiveness, procedure for renewal, time and procedure for return, notice to the person named in the order, and records to be maintained with regard to order. Authorizes prescribed disclosures and uses of information obtained pursuant to such provisions with respect to official duties or testimony in criminal or grand jury proceeding. Prescribes the civil liability of persons who eavesdrop in unauthorized manner or who make improper disclosure. Jan. 23. CR—Watch

**AB 261 Mulford (Crim. Pro.)** Makes it a misdemeanor for any person or group of persons to willfully and knowingly: enter or remain within or upon any part of the chamber of either house of Legislature unless authorized, pursuant to rules adopted or permission granted by either such house, to enter or remain within or upon a part of chamber of either such house; enter or remain within or upon any part of the State Capitol with intent to disrupt orderly conduct of official business; utter loud, threatening, or abusive language, or engage in any disorderly or disruptive conduct at any place within State Capitol or upon ground of State Capitol, with intent to impede, disrupt, or disturb orderly conduct of any session of Legislature or either house, or orderly conduct within State Capitol of any hearing before, or any deliberations of, any committee or subcommittee of the Legislature or either house; obstruct or impede passage through or within State Capitol or grounds thereof; engage, within State Capitol or upon grounds thereof, in any act involving an assault or any infliction or threat of infliction of death or bodily harm on person of another, or involving damage to or destruction of any real or personal property; or parade, demonstrate, or picket within State Capitol. Provides that nothing in such provisions shall forbid any act of Members of Legislature, employees of Members, officers and employees of Legislature or any committee or subcommittee thereof, and officers and employees of either house of Legislature or any committee or subcommittee thereof, which is performed in lawful discharge of official duties. Jan. 23. CR—Bad

## SENATE BILLS

**SB 3 Alquist (Elec. & Reap.)** Deletes and amends present provisions dealing with delegates and candidates in the presidential primary. Provides that candidates on the ballot will be those found by Secretary of State to be nationally recognized candidates for office of President of United States or those whose names are placed on ballot by means of petition. Permits any such candidate to withdraw by filing affidavit that he is not candidate.

Establishes number of signatures needed on petition in various circumstances, including new parties. Prohibits more than 2,500 signatures coming from any one county. Prohibits circulation of petition prior to January 1 of a presidential election year and requires it to be filed 75 days before the election.

Requires Secretary of State to notify each candidate that he places on the ballot and for whom he receives a petition or portion thereof that his name will appear on the California presidential primary ballot for his party.

Requires a party's delegation to its national convention to be selected by the presidential nominee candidate or, if there is none, by the state convention of the party. Requires delegation selected by the state convention to include national committeeman and committeewoman and to be distributed by congressional districts according to the present formula. Requires state convention to meet on first Saturday in July and to name its delegation by 6 p.m. of the following day.

Binds delegation to the party's presidential nominee candidate from California for two ballots, until he is nominated for the office of President, until he releases the delegation, or until he receives less than 35 percent of the vote on a ballot. Provides that the party's presidential nominee candidate from California is that candidate who received the highest number of votes and who received more than 40 percent of the vote in his party's presidential primary in California.

Provides that, if no candidate satisfies the requirement for a presidential nominee candidate from California, the delegation will not be bound to any candidate.

Makes technical changes in presidential primary ballot. Jan. 7.

EL—Watch

**SB 4 Richardson (Jud.)** Specifies circumstances under which state statute shall be considered to prevail over local, police, sanitary, and other regulations adopted by a city or county.

Provides such provisions as to prevailing of state statute shall not be deemed to authorize political subdivisions to regulate water districts or agencies and public utilities, or any public district rendering a utility service, except as could be regulated prior to effective date of act.

Exempts labor organizations or any activity or conduct thereof with respect to any individual or entity, including but not limited to their members, the public, or any public or private employer, from such provision as of prevailing of state statute. Jan. 7.

SL—Watch

**SB 5, Whetmore (Jud.)** Makes it a public offense for any person to willfully and maliciously disrupt the peaceful conduct of the activities of a state college or state university, as defined, or the students of either, upon the campus or in any building, including a classroom therein, of any such state college or state university. Makes first offense a misdemeanor and specifies procedure and increased punishment for second, third, and fourth conviction of such offense. Excepts from provisions of section any person who disrupts state college or university classroom or campus with prior written permission of the chief administrative officer of the campus or facility, as defined, or an officer or employee designated by him to maintain order on such campus or facility, if designation is in writing attached to, or contained in, the paper or document granting such permission. Jan. 7.

ED; CR—Bad

**SB 16 Collier (Trans.)** Requires at least one annual inspection of every motor vehicle registered and operated on highways of this state required to be equipped with a certified motor vehicle pollution control device subject to an initial five-year phasing-in period. Requires Department of the California Highway Patrol to license official inspection stations. Requires inspectors at such stations to inspect motor vehicle pollution control devices to determine compliance with requirements of law and to issue official certificate of inspection

and approval upon determining such compliance. Limits amount charged for such inspection to \$1. Permits an owner of a fleet of 10 or more vehicles to be licensed by the department as an official inspection station, provided such owner complies with the regulations of the department. Jan. 7.

LS—N.C.

**SB 20 Harmer (Ed.)** Requires dismissal from employment of any employee of California State Colleges who, in accordance with procedures for hearings established by the college and approved by Trustees of California State Colleges, is found to have disrupted or to have attempted to disrupt, by force or violence, any part of instructional program of a state college, or any meeting, interview, or other activity authorized to be held or conducted at the college. Jan. 7.

ED—Bad

**SB 28 Harmer (Ed.)** Requires that a student of a California State College be expelled if he is found to have disrupted or attempted to disrupt institutional program of the college.

Provides that such finding be made in accordance with procedures established by college and approved by Trustees of the California State Colleges.

Prohibits such a student from enrolling at a state college for a period of three years. Jan. 7.

ED—Watch

**SB 29 Harmer (Gov. Eff.)** Exempts state colleges as well as University of California from purchasing supervision of Department of General Services for purchases not exceeding \$1,000. Jan. 7.

ED—Watch

**SB 30 Harmer (Gov. Eff.)** Changes certain state holidays to fall upon specific Mondays, rather than on dates. Makes similar changes in holidays for state employees. Jan. 7.

SL—Watch

**SB 44 Carroll (Jud.)** Makes officers of a fire department, and animal control officers, of a city, county, city and county, district, or other public or municipal corporation or political subdivision, peace officers.

To take effect immediately, urgency statute.

LS—N.C.

**SB 48 Richardson (Gov. Eff.)** Requires confirmation by two-thirds of Senate of Governor's appointments to the Trustees of California State Colleges and, commencing on March 1, 1970, reconfirmation of each trustee by two-thirds of Senate at the expiration of the first four years of his term.

ED; SL—Bad

**SB 51 Whetmore (Jud.)** Makes it a public offense, rather than a misdemeanor, for any person not a student, officer, or employee of a state college or state university, as defined, to enter the campus or facility of the college or university to commit any act likely to interfere with the peaceful conduct of activities of the campus or facility, or to have committed such an act, and fail to leave the campus or facility when directed to do so by the chief administrative officer, or officer or employee designated by him to maintain order on the campus or facility. Makes first offense a misdemeanor, and specifies procedure and increased punishment for second, third, and fourth conviction of such offense. Jan. 9.

CR; ED—Bad

**SB 56 Harmer (Ed.)** Permits president of a California state college to declare a "state of emergency" on the campus if a disruption of normal operations occurs or is threatened.

Permits president to restrict access to campus when a "state of emergency" exists.

Makes violation of such restriction a misdemeanor. Jan. 9.

CR; ED—Bad

**SB 65 Whetmore (Jud.)** Makes it a public offense, rather than misdemeanor for minor over 16 years of age or adult who is not a pupil of school to willfully interfere with discipline, good order, lawful conduct, or administration of any school class or activity with intent to disrupt, obstruct, or inflict damage to property or bodily harm upon any person, or for any person to willfully disturb any public school or public school meeting.

Makes first offense a misdemeanor, and specifies procedure and increased punishment for second, third, and fourth or subsequent conviction of such offense. Jan. 15.

CR; ED—Watch

## SENATE BILLS (Cont'd)

**SB 76 Danielson (Jud.)** Permits construction of street lighting facilities in same manner as other improvements under the Improvement Act of 1911. Jan. 15. **LS—N.C.**

**SB 82 Harmer (Jud.)** Makes it a misdemeanor for persons, with intent to publish or broadcast a report thereon, to urge the commission or simulation of a breach of peace, unlawful acts of force or violence, or the unlawful burning or destroying of property, at a time and place which produces a clear and present danger of the commission of any such act.

Makes it a misdemeanor for persons to publish or broadcast any statement concerning a breach of the peace which is known, or should reasonably be known, to be false or misleading and which at the time and place produces a clear and present danger of a breach of peace, or unlawful acts of force or violence, or the unlawful burning or destroying of property. Jan. 15. **CR; ED—Watch**

**SB 85 Coombs (Jud.)** Requires authority awarding contract to consent to substitution of subcontractors when the subcontractor: fails to execute a written contract; becomes insolvent; does not meet bond requirements; was named through clerical error; is not properly licensed; does work which is determined to be unsatisfactory by the awarding authority; when he voluntarily assents to a substitution; or when the awarding authority determines it is in the public interest.

Removes option in awarding authority to cancel contract or cancel contract and assess penalties when prime contractor violates contract. Jan. 15. **LS—N.C.**

**SB 86 Coombs (B. & P.)** Permits a licensed vocational nurse when directed by a physician or surgeon to withdraw blood from a patient in a licensed medical laboratory for the purpose of testing, if prior thereto she has been instructed by the physician and surgeon in the proper procedure to be employed when withdrawing blood. Jan. 15. **LS—N.C.**

**SB 88 Coombs (Jud.)** Allows insertion of compulsory arbitration provision in contracts for construction to which state or any political subdivision thereof is a party. Jan. 15. **LU—Bad**

**SB 91 Mills (Gov. Eff.)** Requires Bureau of Vocational Rehabilitation to employ at least one person for every 15 licenses with specified fields of expertise to counsel and advise blind operators of vending stands in public buildings. Jan. 15. **LS—N.C.**

**SB 92 Deukmejian (Jud.)** Authorizes discovery in arbitration proceedings, and establishes procedure therefor, including the use of deposition for discovery; and eliminates the provision that depositions for use as evidence only may be ordered by the neutral arbitrator upon application of a party under certain conditions. Jan. 15. **MI—Bad**

**SB 94 Grunsky (Jud.)** Provides, with respect to tenancies at will, that the 30-day notice required of landlord to terminate tenancy does not apply if the landlord and tenant are employer and employee, respectively; and that such occupancy terminates without notice at time employer-employee relationship is terminated or at any other time previously agreed to by them. Makes related change in provision defining unlawful detainer. **LU; HO—Bad**

**SB 96 Grunsky (Rev. & Tax.)** Exempts brewers grain and peat moss, when used in the production of food for human consumption, from sales and use taxes. Jan. 15. **TA—Watch**

**SB 103 Song (Jud.)** Limits privilege of married person not to testify in a proceeding where spouse is a party adverse to one calling such married person, to criminal proceedings where the spouse is a defendant, rather than applying such privilege to any proceeding.

Declares that, unless erroneously compelled to do so, a married person who testifies for or against his spouse in any proceeding, rather than who testifies in a proceeding to which his spouse is a party, or who testifies against his spouse in any proceeding, does not have a privilege not to be called to testify in connection with such proceeding. Specifies that certain school psychologists, clinical social workers, and marriage, family, and child counselors are "psychotherapists" for purposes of the privilege protecting confidential communications

between psychotherapist and patient.

Specifies that communications of participants in a joint therapy are included within the psychotherapist-patient privilege.

Makes related changes. Jan. 16. **LS—N.C.**

**SB 104 Song (Jud.)** Permits a court to compel specific performance of a contract by the defendant if such performance is otherwise appropriate and substantial counterperformance by the plaintiff is assured or can be assured to the satisfaction of the court, rather than prohibiting a court from ordering specific performance where the plaintiff has not performed or could not be compelled by a court to specifically perform his duties under the contract. Jan. 16. **LS—N.C.**

**SB 107 Grunsky (Ins. & F.I.)** Provides that no referee or member of the Workmen's Compensation Appeals Board shall receive his salary unless he subscribes to an affidavit stating that no case remains pending before him which has been submitted to him for decision for 30 days. Jan. 16. **WC—Watch**

**SB 109 Marks (Jud.)** Authorizes governing board of unified school district in a city and county to conduct classes at airport and county jail located outside the district. Jan. 16. **LS—N.C.**

**SB 114 Dymally (Gov. Eff.)** Establishes Commission on Minority History and Culture to conduct a study of all proposals to create a better understanding and knowledge of minority history and culture. Requires the commission to make recommendations to the Governor and to the Legislature regarding legislative enactments to carry out such proposals. Specifies that the report of findings and recommendations shall be made prior to the final adjournment date of each regular session. Makes an appropriation from the General Fund of \$25,000 for the expenses and support of the commission. Jan. 16. **MI—Watch**

**SB 115 Dymally (Ed.)** Makes permissive, rather than mandatory, various specified components of a More Effective Schools Program.

Permits up to \$1,000,000 of federal funds, rather than \$500,000, to be used for facilities, construction, and personnel, rather than only for facilities.

Limits to \$1,000,000 the amount of federal funds which may be annually allocated by the Educational Innovation Commission to the More Effective Schools Program.

To take effect immediately, urgency statute. Jan. 16. **ED—Watch**

**SB 118 Carrell (Gov. Eff.)** Transfers to the board the functions of the Franchise Tax Board relative to personal income and bank and corporation taxes; and the functions of the State Controller, with specified exceptions, relative to the inheritance, gift, gas, truck, insurance taxes and oil and gas conservation and subsidence abatement district assessments. Transfers also the property, funds and personnel of such agencies employed in the administration of the functions transferred. Establishes a Tax Appeals Board, consisting of three members appointed by the Governor, with the consent of two-thirds of the Senate, to hear the appeals presently heard by the State Board of Equalization under the Personal Income Tax Law and the Bank and Corporation Tax Law.

Makes numerous procedural changes consistent with the foregoing.

Abolishes the Franchise Tax Board and the office of its executive officer. Jan. 20. **SL—Watch**

**SB 121 Teale (Ed.)** Revises law relating to special education of mentally gifted minors by defining qualifying programs, eliminating excess expense concept of reimbursement and advance apportionments for identification of pupils, requiring reports re disposition and use of funds, providing for recoupment of excess amounts disbursed, and making numerous related changes.

Requires, commencing on July 1, 1970, proposed programs for mentally gifted minors to be approved by Superintendent of Public Instruction.

Provides for recomputation of allowances for participation and identification of mentally gifted minors.

Increases from \$263.14 to \$265.18 the maximum fiscal year amount per pupil in a.d.a in the state to be transferred to State School Fund, and allocates new amount to allowances for education of mentally gifted minors. Jan. 20. **ED—Watch**