



California AFL-CIO News

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JOHN F. HENNING 151
Executive Secretary-Treasurer

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Brown Submits Fed Bill to Set \$2.25 Pay Floor

A bill to establish a state minimum hourly wage of \$2.25 and a 35-hour workweek for all public and private employees in California has been introduced by Assemblyman Willie L. Brown, Jr. (D-San Francisco).

"This legislation is an attempt to bring wages of working men and women not covered by union contracts into line with minimal living costs," Assemblyman Brown said on introducing the measure late last week.

The bill, AB 566 sponsored by the California Labor Federation, AFL-CIO, calls for double-time pay for overtime and would require all employers to keep records of each worker's name, occupation, rate of pay, and the amount paid for each pay period.

The state's present \$1.65 pay floor covers women and minors only and yields an annual gross income for a 40-hour workweek 52 weeks a year of only \$3,432.

"That is certainly below even a poverty-level wage for a person trying to support a family," Brown, chairman of the Assembly Ways and Means Committee, said.

A \$2.25 minimum wage based on a 35-hour workweek would equal an annual income of little more than \$4,000.

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Davis-Bacon Act Freeze Hit as Invitation to Turmoil

President Nixon's suspension Tuesday of a 40-year-old law requiring locally prevailing wage rates to be paid on all federal construction projects was roundly denounced and ridiculed by both union and management officials this week.

AFL-CIO President George Meany described the President's suspension of the

Davis-Bacon Act of 1931 as a "punitive action against workers" and said it would "have no real effect on halting inflation."

The action, which does not affect existing construction contracts, would open future federal contracts to bidding by builders hiring cut-rate, non-union workers.

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What Do PUC Staff's Findings In PT&T Rate Case Suggest?

Why is there a move afoot for the State Public Utilities Commission to adopt new procedural rules that would rotate veteran PUC staff experts out of their fields of expertise and establish roadblocks to effective representation before the Commission by labor and other pro-consumer groups?

Perhaps an inkling to the answer to that question was dis-

closed last week when the PUC's staff suggested that the Pacific Telephone Company's currently pending demand for a \$195 million rate boost was more than three times as much as the staff could justify.

This was indicated February 17 when the PUC staff recommended that PT&T be granted an annual rate hike of \$62.8

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Reagan Asks Nixon to Help Film Industry

Governor Ronald Reagan has called on President Nixon to support a joint labor-management plan to "alleviate massive unemployment caused by a serious decline in the production of motion pictures in the United States."

Reagan disclosed his support of a request for a 20 percent

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Supreme Court Urged to Reject Con Labor Case

The State Supreme Court was urged this week to deny an appeal filed by Attorney General Evelle J. Younger for a hearing on a two and one-half year old case in which the State AFL-CIO won a permanent injunction to bar the letting of state convicts to private em-

ployers.

A Superior Court action granting a permanent injunction in March 1969 found that Governor Reagan had violated the State Constitution when he authorized the use of state prison convicts to harvest figs and grapes in the fall of 1967.

The Superior Court action has subsequently been upheld by the State Court of Appeal and Younger's request for a rehear-

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Demo Official Answers State Fed Query on Reforms

Stephen Reinhardt, National Democratic Committeeman for California, advised the State AFL-CIO this week that the delegations for the Democratic presidential candidates will be chosen as in the past with labor union candidates for delegates free to present their case to the candidates to go on the slate.

John F. Henning, executive officer of the California Labor Federation, AFL-CIO, had wired Reinhardt last week on the eve of a Democratic National Com-

mittee meeting in Washington last weekend expressing concern about some of the delegation selection reforms contained in the McGovern Commission Report that was taken up at that meeting.

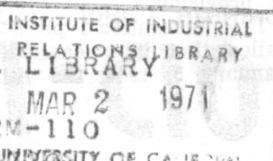
Henning had emphasized the State AFL-CIO's strong approval of the principle that minorities, women and youth be assured of at least a proportionate place on state delegations.

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Health Parley Nears

The two-day educational conference on National Health Insurance being sponsored by the California Labor Federation, AFL-CIO, at the Del Webb Townhouse in San Francisco, March 11-12, which will feature addresses by U. S. Senator Edward M. Kennedy and Rep. James C. Corman, is generating an unusual amount of interest. Federation affiliates planning to send representatives to the conference are urged to send their registration forms to the federation as soon as possible to assure adequate accommodations for all. More than 200 participants are already registered.

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Brown Submits Fed Bill to Set \$2.25 Pay Floor

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"It seems to me that there is no part of the economy that cannot afford to pay this very minimal rate," Brown said.

John F. Henning, executive officer of the State AFL-CIO, pointed out that the Brown bill amounts to a state level "Fair Labor Standards Act" in that it would set standards for wages and hours that recognize that living costs in California are generally higher than in other states and extend state level protections to men, farm workers and other workers presently excluded from the coverage of state law.

Noting that there has been no reduction in the workweek for more than 30 years and California now has more than 600,000 jobless workers, Henning said:

"The only realistic answers to our unemployment crisis, to our urban crisis and to our welfare crisis are increases in job opportunities, real tax reforms, and a substantial improvement in the purchasing power of workers at the bottom rung of the economic ladder.

"The modest improvements in minimum wages and the reduction in working hours called for in this bill would mark a significant constructive step toward both of these goals. California can and should lead the way," he declared.

Supreme Court Urged to Reject Con Labor Case

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ing by the Appeals Court was denied earlier this month.

The lower court decision found that Governor Reagan's attempt to supply private growers with temporary farm labor didn't resemble a rehabilitation program "in any important respect" and violated Article 10, Section 1 of the State Constitution which stipulates that:

"The labor of convicts shall not be let out by contract to any person, co-partnership, company, or corporation, and that the legislature shall, by law, provide for the working of con-

What Do PUC Staff's Findings In PT&T Rate Case Suggest?

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million which give the utility a 7.64 percent rate of return on investment compared to 6.77 percent at present on its intrastate rate base.

When PT&T applied for the whopping increase in March, 1970, it estimated that the 1970 rate of return would be only 5.82 percent and claimed that it needed a rate of return of 8.5 to 9 percent despite the fact that as a public utility it enjoys a monopoly in its field.

The California Labor Federation, AFL-CIO, has filed as an interested party in the PT&T rate case in an effort to protect trade unionists and other California consumers from exorbitant utility rate increases.

The state AFL-CIO is also in the forefront of the fight to bar the adoption of proposed changes in rules of practice and procedure that would severely hamstring the capability of the California Labor Federation and similar public service oriented organizations from participating effectively before the Commission on rate cases.

Some idea of the wide disparities between current charges in effect in San Francisco and Los Angeles and the PUC staff's recommendations and PT&T's demands in its current rate case are indicated in the table below.

Both the PUC's staff and the five commissioners who make the final determination are charged with protecting the public interest of six million PT&T subscribers. But in two of its recent major rate cases the present five-member commis-

TYPE OF SERVICE	PRESENT RATE	PUC STAFF'S RECOMMENDATION	PT&T'S DEMAND
Residence	\$4.65	\$4.80	\$6.50
Businesses	\$5.15	\$5.50	\$8.95

victs for the benefit of the state."

In the latest action, the Federation's General Counsel called attention to the fact that the Attorney General himself had, until his position in this case, "so understood the Constitutional provision."

The Federation's petition recalled that in a case decided January 5, 1944, the Attorney

sion has been substantially more generous to utilities such as PG & E and PT&T than its staff had recommended.

This should be of vital concern not only to all workers but to employers as well. A little analysis of the table below indicates that while the PUC staff can apparently justify a 3.2 percent increase in residential rates, PT&T is demanding nearly a 40 percent hike.

And in the case of business rates, while the PUC staff can apparently justify a 6.7 percent increase, the Pacific Telephone Company is demanding a 73 percent increase.

At a time when both the state and nation are striving desperately to reduce or at least contain inflation, PT&T's demands fail to square at all with the public service image the utility's management attempts to project for itself.

On the contrary, such demands should be enough to provoke cries of "robber baron" even from some of the state's more conservative citizenry.

But so far, they haven't, even though PT&T's demands would cost each residential subscriber in San Francisco and Los Angeles \$20.40 a year more than the \$1.80 hike that would result from the PUC staff's recommendations.

Trade unionists wanting to get their six cents worth in (the cost of a postage stamp) might well write a letter to PUC Commission Chairman John P. Vukasin, State Building, 455 Golden Gate Ave., San Francisco, to urge the Commission at least not to exceed their own staff's recommendations in this case.

General held that because of the Constitutional provisions, "the work of convicts could not be sold to a manufacturing company even though the company held a defense contract with the Federal Government."

Under the rules of the court, if the court has not acted within the next ten days, the Attorney General's petition will then be deemed denied.

Hearing Set On Plans To Change PUC Procedures

The Assembly Committee on Commerce and Public Utilities chaired by Assemblyman Walter Powers (D-Sacramento) has set a special hearing next Wednesday, March 3 on two measures calling for an investigation of proposed changes in the rules and procedures of the State Public Utilities Commission.

The hearing, scheduled to get underway at 9:00 a. m. in Room 6031 of the State Capitol, is called for in House Resolutions No. 9 and No. 27.

HR 9, which was introduced by Assemblyman Z'berg, Brathwaite, Dunlap, McCarthy, Ralph and Sieroty, calls on the Public Utilities Commission to report to the Assembly "any proposed staffing changes, with particular regard to the rotation of PUC staff members."

It also calls for the PUC to present any proposed personnel-management changes relating to rotation or the elimination of positions and to explain the need for such changes to the committee.

HR 27, introduced by Powers, calls for an investigation of a number of other proposed changes in the PUC operating procedures, including proposals to require all parties appearing before the PUC to be represented by attorneys and limitation of the hearings to subjects determined at a pre-hearing conference.

Cranston Heads Rail Workers' Pension Panel

Senator Alan Cranston (D-Calif.) has been named chairman of the Senate Subcommittee on Railroad Retirement which presides over an income maintenance program for one million former railroad workers and their dependents, including some 70,000 railroad pensioners now residing in California.

The subcommittee also has supervisory authority over a special Presidential commission that is currently studying the program in its relation to the social security program.

The commission is scheduled to submit its report to Congress in July.

Davis-Bacon Act Freeze Hit As Invitation To Turmoil

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John F. Henning, executive officer of the California Labor Federation, AFL-CIO, termed Nixon's action "nothing less than a return to the wage reduction policies of Herbert Hoover."

"Suspension of Davis-Bacon will invite wage-cutting drives by employers in construction and undoubtedly plunge that critical industry into labor-management turmoil," Henning said.

"President Nixon, chief engineer of the worst inflationary upsurge in a decade and the worst unemployment in California since the Great Depression of the '30's, has now embarked on a callous program that will wreck worker purchasing power and aggravate the Nixon recession," he added.

WRONG IN PRINCIPLE

Meany said that "the action taken by the President is wrong in principle. It attempts to correct the national economic problems . . . by penalizing a single segment of the working population. It is an open invitation to unscrupulous employers to exploit workers by competitive undermining of fair wages and labor standards."

"We consider it unfair. We resent it. We think construction workers do not deserve to be treated in an arbitrary, one-sided fashion," he said.

In announcing the action (see box) President Nixon noted that the average contract settlement in the building trades called for a first year wage increase of 18.3 percent last year compared to 8.1 percent for manufacturing industries and charged this constituted "a striking contrast."

KEY FACTOR CITED

In commenting on this Wednesday, Henning said:

"While this may seem like a striking contrast to the general public, I cannot believe that President Nixon isn't fully aware that most factory workers enjoy year-round employment of nearly 2,000 hours a year while the average hours of work available to building tradesmen is a full third less, ranging between 1,200 and 1,400 hours."

"Mr. Nixon must also be fully aware that the average annual income of building trades workers amounted to little more than \$8,400 according to the latest

figures available and unemployment in the construction industry has been about twice as high as the national average which is currently six percent.

"Perhaps the most deplorable thing about Nixon's action," Henning said, "is that it represents a further extension of the Nixon Administration's use of the building trades as a scapegoat for the nation's economic and social ills and reinforces the general public's erroneous belief that building tradesmen's wages are responsible for high housing costs even though facts developed by the management's side of the industry itself demonstrates that the real villain has been skyrocketing land costs and skyrocketing interest rates."

Henning pointed out that a study by Dr. Michael Sumichrast, chief economist of the National Association of Home Builders, which was presented to the Joint Economic Committee of Congress, showed that between 1949 and 1969 on-site labor costs fell from 33 percent of the price of a single family home to 18 percent.

During the same period the cost of materials rose only slightly from 36 percent to 38 percent.

But land costs and financing costs virtually doubled. Land costs jumped from 11 percent in 1949 to 21 percent in 1969 and financing costs climbed from five percent to 10 percent over the same period, the study showed.

"Union workers, indeed any worker recently stuck with a 20 or 30 year mortgage at an interest rate of 10 or 11 percent should be aware that the nation's prime interest rates jumped 36 percent during the first six months following Nixon's election and that the President took no action whatever to bring them down. Nor has he taken any action to curb excessive speculation in land," Henning said.

A management spokesman, William E. Dunn, executive director of the Associated General Contractors, described Nixon's action as "disappointing, inadequate, and totally ineffective."

And Herb Smith, labor relations director of the Associated Contractors in Southern California, described Nixon's action as "the most ridiculous thing I have ever heard of."

Said Smith:

"Even if some workers were to offer their services for less than the union contract scales,

we would not hire them. It would only mean a strike by union workers and so it is going to have no effect in California as far as I can tell."

Edward J. Carlough, president of the AFL-CIO Sheet Metal Workers' Union, however, described Nixon's move as "an obvious move to try and destroy union wages and conditions by giving non-union builders a break in landing government contracts."

He pointed out that if the non-union firm is allowed to pay wages below those prevailing in the community, it may be able to submit a lower bid than union firms.

There was some indication that the Nixon Administration simply didn't know what it was doing. For example, U.S. Secretary of Labor James D. Hodgson said that the suspension by Nixon could affect wage patterns on \$25 billion worth of construction scheduled to be started during the current year. But Administration officials were vague on how much impact the suspension of the Davis-Bacon Act provisions would have and when and where it would begin to show its effect.

Among other labor leaders commenting on the President's action were Gordon McCulloch, a vice president of the California Labor Federation and executive secretary of the Los Angeles County District Council of Carpenters, and Dan Del Carlo, executive secretary of the San Francisco Building and Construction Trades Council.

Del Carlo said that Nixon's action could "result in a Roman holiday for non-union contractors."

But McCulloch had a somewhat different slant:

"I can tell you there are going to be damned few workers on federal jobs who are going to say, 'Don't pay me what everybody else in the industry is getting because my President has given me permission to work for lower wages.'"

Black College Grads

More than 500,000 Black college graduates are now in the labor force, about twice the number in 1960. By 1980, the number will rise to about 1 million.

Here's What Nixon Said

Here's what President Nixon said in announcing that he was suspending the Davis-Bacon Act which was enacted in 1931 to protect the wages of construction workers during the early days of the Great Depression:

"In my judgment, the operation of this law at a time when construction wages and prices are skyrocketing only gives federal endorsement and encouragement to severe inflationary pressures."

"It has been my hope that the problem of excessive and inflationary wage settlements in the construction industry could be met without such measures. Yet on several occasions over the past few years I have also made it clear that I would take whatever further steps were necessary if the inflationary pattern did not end."

"That pattern has not ended. In fact, inflation in the construc-

tion industry has grown worse. In 1970, the average contract settlement in the building trades called for a first-year wage increase of 18.3 percent. On the other hand, the average increase for the first year of new contracts in manufacturing industries was 8.1 percent — a striking contrast."

In press reports Nixon was also quoted as saying that the Davis-Bacon Act's requirement "only gives endorsement and encouragement to severe inflationary pressures" by forcing the government to "match the highest wages paid on private projects."

But both labor and management spokesmen disagreed with the President's view and maintained that the "prevailing wage" provision has not been a significant factor in the rise in construction costs. (See lead story on page 1).

Reagan Asks Nixon to Help Film Industry

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tax exemption on gross income from the sale of films made in this country in releasing a letter sent to the President on the subject earlier this month.

The letter is an outgrowth of a meeting Reagan held with officials from both sides of the film industry's bargaining table on February 3. Participants at that meeting included John Lehnert, president of the Hollywood AFL Film Council, John L. Dales, secretary of the Screen Actors' Guild and a vice president of the California Labor Federation, AFL-CIO, and Charles Boren, head of the Association of Motion Picture and Television Producers.

FOREIGN FILMS RISE

In his letter to the President, Reagan said:

"In the past three years, foreign production of American films has increased by at least 64 percent. More than half of our films are being produced abroad."

Noting that it is possible for a U.S. film maker to get subsidies amounting to 80 percent of his production costs by filming in foreign countries, the Governor warned against barring the import of "runaway films" to the U.S. because it "could invite retaliation and have disastrous effects on the motion picture industry."

Reagan also pointed out that more than 50 percent of the earnings of U.S. film makers come from foreign rentals of film.

FED BACKS ACTION

Last December, John F. Henning, executive officer of the California Labor Federation, participated in a rally held at the Hollywood Palladium to focus public attention on the "runaway" film problem that has left thousands of talented U.S. workers jobless.

At that time, Henning observed:

"If the federal government could give billions of dollars to agriculture, including millions to individual California growers for not growing crops, surely it could give some form of subsidy to the stricken Hollywood film industry."

Bldg. Trades Reject Race Quotas for Apprenticeship

Building trades unions sharply rejected the use of racial quotas in apprentice programs as "repugnant to all Americans" and said they would oppose any Labor Dept. regulations that would set up such quotas.

The executive council of the AFL-CIO Building & Construction Trades Dept. declared in a statement issued at its mid-winter meeting in Bal Harbour, Fla., that the new federal regulations on equal employment opportunity in apprenticeship issued in the Federal Register by Labor Sec. James D. Hodgson could injure the national apprenticeship system. "We expect and intend to oppose it at all levels," the department said.

The statement cited detailed figures showing marked progress in bringing minority groups into apprenticeship programs and declared that the council "is more than satisfied that the overwhelming majority of our local unions in the skilled trades are responding to the social problems surrounding equal employment opportunity. They have responded in a meaningful and successful fashion."

The department noted that last year participation of non-White apprentices in the construction industry equaled non-White participation in the adult male work

force—they both were at the 10 percent level.

During the past five years non-white apprentices grew from 4.4 percent of all apprentices in 1966 to better than 11 percent entering in the first half of 1970.

On the new federal regulations, to which both the BCTD and the Metal Trades Dept. as well as their affiliated unions will file opposing views, the council said:

"The proposed revision directs that future apprentices be selected not on merit but on a racial quota determined by the minority population, the minority work force, existing minority apprentices, incumbent minority journeymen and the availability of minorities with potential capacity to become craftsmen."

It pointed out that the number of minority apprentices in the building trades increased from 2.5 percent in 1960 to 8.6 percent at the end of 1969 moving to 9.4 percent in the first half of 1970 and to the estimated 10 percent figure by the end of the year.

During 1969, the total number of federally registered apprentices rose from 87,919 to 104,505, an increase of 18.9 percent. The number of minority apprentices, however, increased 37.3 percent moving from 6,631 to 9,102.

"WE DON'T PATRONIZE"

Here are the firms currently on the "We Don't Patronize" list of the California Labor Federation, AFL-CIO. Firms are placed on the list in response to written requests from affiliates upon approval of the Federation's Executive Council.

Affiliates involved are urged to inform the Federation of any future contract settlements or other developments that would warrant the removal of any of these anti-union firms from the Federation's list.

Unfair firms are:

Coors Beer.

Tennessee Plastics of Johnson City, Tennessee.

The Nut Tree and the Coffee

Tree Restaurants, on Highway 40 between San Francisco and Sacramento.

San Rafael Independent-Journal.

The following San Diego area motels:

Bahia Motel and Motor Lodge
Catamarran Motor Hotel and Restaurant

Islandia Hotel and Restaurant

In addition the Federation is supporting such national AFL-CIO consumer boycotts as those in progress against the Los Angeles Herald-Examiner and the Kingsport Press of Kingsport, Tenn., publishers of the "World Book" and "Child Craft" series.

Jobless Rise in Sacramento And Stockton

Unemployment in Stockton, which has been in excess of six percent for more than a year, climbed to 9.8 percent and was added to a list of California cities suffering "persistent unemployment" by the U.S. Labor Dept. this week.

Sacramento posted a jobless rate of 6.7 percent, placing it among a growing list of California cities suffering "substantial" unemployment, meaning that the city's jobless rate exceeds six percent and is expected to continue at that level or above for at least two more months.

Demo Official Answers Query On Reforms

(Continued from Page 1)

But Henning emphasized that union members should be given the same recognition and protested the lack of clarity regarding the formation of the California delegation.

Henning called for clarification of some provisions of the McGovern report which appeared to indicate that union members might be required to compete for a place on the delegation in expensive election campaigns with men and women of wealth.

Reinhardt advised Henning that no election procedure would be required.

Reinhardt also indicated that the provisions calling for more adequate representation by special interest groups such as women, minorities and youth, were adopted by the Democratic National Committee as recommendations, not mandatory requirements.

In his wire to Reinhardt, Henning had stressed the fact that, while the labor movement is non-partisan, it is nonetheless concerned about assuring adequate representation for both Democratic and Republican trade union representatives in the nation's two principle political parties.

THE CALIFORNIA AFL-CIO'S DIGEST OF BILLS

The measures below introduced in the 1971 regular session of the California Legislature are classified by the California Labor Federation as "Good," "Bad," or "Watch." An asterisk (*) indicates a bill sponsored by the California Labor Federation. Some bills will carry a cross (†) after the "Watch" designation indicating that the Federation will defer to the wishes of affected affiliates on the ultimate classification of the bill. Such bills are printed in the digest to inform affiliates involved. No bill may be taken up until 30 days after the date of introduction indicated in the digest, except by a three-quarters vote. When the abbreviation (H.A.D.) appears in the digest following the author's name, it means that the measure has been held at the Speaker's desk in the House of origin and has not yet been assigned to a committee.

SENATE BILLS

SB 91—Dymally (G.O.)—Establishes state lottery, to be administered by Controller, proceeds of which are to be used in part for support of primary and secondary education in state and in part for purposes of the lottery.

To be effective only upon adoption of Senate Constitutional Amendment No. of 1971 Regular Session of Legislature. Jan. 13.

Miscell.—Watch

SB 100—Grunsky (Rev. & Tax.)—Changes Senior Citizens Property Tax Assistance Law to Senior Citizens Property Tax Exemption Law, creating a new property tax exemption, and raises the income limit from \$3,350 to \$4,800. Limits definition of household, for income purposes, to claimant and spouse. Transfers responsibility of administration from Franchise Tax Board to State Board of Equalization.

Operative only on adoption of unspecified Senate constitutional amendment. Jan. 14.

Taxation—Watch

SB 101—Rodda (Ed.)—Appropriates \$30,400,000 from the General Fund for increases in compensation, including staff benefits, for instructional and instructional-related employees of the California State Colleges.

To take effect immediately, urgency statute. Jan. 14.

State and Local Government—Good

SB 102—Carrell (G.O.)—Provides for election, rather than appointment, of the members of the Public Utilities Commission from five districts which represent various combinations of the state's 40 senatorial districts provided for in Sections 30100 et. seq., Elections Code.

Makes operative effect of provisions contingent upon the approval by the voters of Senate Constitutional Amendment No. at the June 6, 1972, primary election. Places such constitutional amendment on the ballot at such election. Jan. 14.

State and Local Government—Watch

KEY TO SENATE ABBREVIATIONS

Committee Abbreviations	Committee
(Agr.)	Agriculture
(B. & P.)	Business and Professions
(Ed.)	Education
(E. & R.)	Elections and Reapportionment
(Fin.)	Finance
(G.O.)	Governmental Organization
(H. & W.)	Health and Welfare
(I.R.)	Industrial Relations
(I. & F.I.)	Insurance and Financial Institutions
(Jud.)	Judiciary
(L. Gov.)	Local Government
(N.R. & W.)	Natural Resources and Wildlife
(P.U.C.)	Public Utilities and Corporations
(Rev. & Tax.)	Revenue and Taxation
(Rls.)	Rules
(Trans.)	Transportation
(Wat. Res.)	Water Resources

KEY TO ASSEMBLY ABBREVIATIONS

Committee Abbreviations	Committee
(Agr.)	Agriculture
(C. & P.U.)	Commerce and Public Utilities
(C.A.)	Constitutional Amendments
(Crim. J.)	Criminal Justice
(Ed.)	Education
(E. & C.C.)	Efficiency and Cost Control
(Elec. & Reap.)	Elections and Reapportionment
(Emp. & P.E.)	Employment and Public Employees
(Env. Qual.)	Environmental Quality
(Fin. & Ins.)	Finance and Insurance
(Gov. Adm.)	Government Administration
(G.O.)	Governmental Organization
(Health)	Health
(Intergov. Rel.)	Intergovernmental Relations
(Jud.)	Judiciary
(Labor Rel.)	Labor Relations
(L. Gov.)	Local Government
(N.R. & Con.)	Natural Resources and Conservation
(P. & L.U.)	Planning and Land Use
(Ret.)	Retirement
(Rev. & Tax.)	Revenue and Taxation
(Rls.)	Rules
(Trans.)	Transportation
(Urban Dev. & H.)	Urban Development and Housing
(Water)	Water
(W. & M.)	Ways and Means
(Welfare)	Welfare

SENATE BILLS (Cont'd)

SB 104—Moscone (G.O.)—Appropriates \$96,065,000 for increase in compensation for officers and employees of the state including nonacademic and noninstructional employees of the University of California and state colleges, plus staff benefits.

To take effect immediately, urgency statute, Jan. 14.

State and Local Government—Good

SB 106—Beilenson (H. & W.)—Makes it a felony to cause to take off from any airport in this state any commercial supersonic transport aircraft, and prescribes that such provisions shall not prohibit takeoff necessitated by a prior emergency landing. Jan. 14. **Miscell.—Bad**

SB 107—Behr (N.R. & W.)—Designates specified segments of various rivers and the land adjacent thereto in Klamath, Trinity, and Eel River Basins as components of the California wild and scenic rivers system to be permanently administered as wild and scenic rivers by the Resources Agency. Requires Secretary of Resources Agency within one year of effective date of act to establish detailed boundaries for such rivers, which shall include an average of not more than 320 acres per mile on both sides of the river; to classify the river or its segments as wild river areas, scenic river areas, or recreational river areas as defined; and to prepare a plan for necessary developments in connection with its administration in accordance with such classifications. Permits secretary to submit to Legislature other rivers which qualify for inclusion.

Authorizes Resources Agency to acquire by purchase or condemnation lands and interests in land within such boundaries but restricts authority to acquire fee title to an average of not more than 100 acres per mile on both sides of river. Prohibits such acquisition of lands by condemnation if lands are within city or county which has in force with respect to such lands a zoning ordinance that conforms with the purposes of the act. Authorizes Secretary of Resources Agency to issue guidelines for acceptable ordinances. Specifies standards for such guidelines.

Permits owner of improved property on date of acquisition to retain a right of use and occupancy, as specified, for residential purposes for specified term. Specifies such right of use and occupancy subject to termination, as specified, if Secretary of Resources Agency is given reasonable cause to find such use and occupancy is being exercised in a manner that conflicts with purposes of act. Defines improved property for such purposes.

Prohibits Resources Agency from licensing construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works on or directly affecting segment of river included in system. Prohibits state agency or department from assisting by loan, grant, license or otherwise in construction of any project that would have a direct and adverse effect on the values for which such rivers have been included as components of system.

Directs Secretary of Resources Agency to apply to Department of Interior pursuant to Land and Water Conservation Fund Act of 1965 and other applicable federal laws for such funds as may be needed to acquire lands and interests in land under provisions of act. Requires Governor within 60 days of effective day of act, to petition Secretary of Interior pursuant to appropriate provisions of National Wild and Scenic Rivers Act of 1968 to include California system within the national wild and scenic rivers system.

Declares state policy with respect to establishment of California wild and scenic rivers system. Makes related provisions. Jan. 14.

Recreation—Watch

SB 116—Deukmejian (G.O.)—Includes firemen employed by state agencies other than the Division of Forestry, Department of Conservation, as law enforcement members of P.E.R.S. and provides increased retirement allowances. Makes rate of contribution made by a member as a "law enforcement member" apply to compensation paid the member only from the effective date of the act defining the member as a law enforcement member.

To be operative on the first day of the month following the month in which statutes enacted at the 1971 Regular Session are effective.

Watch

SB 118—Nejedly (H. & W.)—Prohibits sale at retail for consumption off premises of beverage in container unless container is refundable for five cents or more or is biodegradable. Makes violation of such prohibition a misdemeanor punishable only by fine up to \$500.

Directs Department of Public Health to establish standards of biodegradability and test submitted containers against such standards. Jan. 18. **Watch**

SB 122—Harmer (Jud.)—Requires all civil actions for damages below specified amount arising on or after effective date of act out of ownership, maintenance, or use of motor vehicle to be submitted to arbitration before trial by jury may be had. Sets forth conditions under which such trial by jury may be had after arbitration. Authorizes superior court to fix manner in which arbitrator is selected and procedures to be followed in arbitration proceedings. Jan. 18. **Miscell.—Watch**

SB 124—Cologne (Jud.)—Includes pharmacists within provisions limiting commencement of actions against specified persons engaged in branches of healing arts and their hospital employers based upon causes of action for injury or death resulting from alleged professional negligence and other causes. Jan. 18. **Watch**

SB 125—Collier (Rev. & Tax.)—Provides that a contract right to cut and take timber from real property owned by government shall be assessed for purposes of property taxation at 1 percent of its full cash value, if such contract is entered into prior to March 1, 1971. Specifies that the enactment shall have no force or effect on and after the 61st day following final adjournment of the 1975 Regular Session of the Legislature.

To take effect immediately, urgency statute. Jan. 19. **Taxation—Watch**

SB 126—Marks (G.O.)—Requires every oil tanker, whether inbound from the high seas to the Bays of San Francisco, San Pablo, and Suisun and ports thereof, or outbound from those bays or ports to the high seas, or passing between ports of those bays, to have pilotage by bar pilots licensed by the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. Jan. 19. **Watch**

SB 129—Rodda (Ed.)—Increases allowances to school districts for identification and participation of mentally gifted minors in special programs.

Changes from \$278.92 per pupil in a.d.a. to an unspecified amount, the maximum fiscal year amount per a.d.a. fixed by statute to be transferred from General Fund to State School Fund, and revises allocation thereof, including establishment of \$18.25 allowance per statewide a.d.a. for Educational Improvement Act of 1969, and \$6.91 allowance per statewide a.d.a. for Miller-Unruh Basic Reading Act of 1965. Provides for adjustment of such transferred amount based upon Consumer Price Index, as specified. Requires Superintendent of Public Instruction to adjust foundation programs by amounts derived from application of the index.

Revises eligibility requirements for school districts for allowances under the Educational Improvement Act of 1969.

Increases State School Fund regular foundation program levels per pupils in a.d.a. by \$123 at elementary level, \$185 at the high school level, \$57 at the community college level, and \$57 at the adult level.

Provides for annual levy and collection of statewide property taxes for support of elementary, high school, and junior college districts at rates of \$1.46, \$1.17 and 25 cents, respectively, to be levied and collected by counties and deposited in State School Property Tax Equalization Fund. Provides for apportionment and disbursement of tax proceeds so collected to school districts; keys State School Fund equalization aid allowances to tax-proceed receipts and eliminates use of computational tax rates as a factor in computing state and local shares of foundation program support.

Eliminates areawide school support program for areas included in defeated unification proposals.

Revises formulae for determining supplemental support to elementary and high school districts; bases supplemental support on difference between the local district tax rate and the statewide tax rate. Jan. 19. **Education—Watch**

SB 130—Grunsky (G.O.)—Provides increased retirement allowances for **Watch**

SENATE BILLS (Cont'd)

SB 131—Dills (Ed.)—Expresses legislative declaration that it is in interests of state to provide, from other than ad valorem property taxes, not less than 50 percent of cost of public education.

Completely revises derivation of State School Fund by transferring thereto in fiscal year 1971-1972, an amount equal to 50 percent of the total school district general fund and other agency expenditures for education per pupil in a.d.a. in the state for fiscal year 1969-1970, as adjusted by a prescribed factor, and transferring thereto in succeeding fiscal years, an amount equal to the previous year's apportionment to State School Fund as adjusted by a cost-of-living computation.

Further revises derivation of State School Fund by transferring thereto any additional amounts appropriated thereto by the Legislature for various specified purposes. Further revises derivation of State School Fund by transferring thereto an amount equal to 50 percent of estimated cost of expanded or new educational programs.

Redefines state basic aid as an amount, per unit of a.d.a., equal to 40 percent of the amounts transferred to the State School Fund, rather than \$125 per pupil in a.d.a. Establishes the amount of state basic aid computed for a district with 25 units of a.d.a., rather than an amount not less than \$2,400, as the minimum basic aid apportionment to elementary and high school districts.

Revises the amounts per a.d.a. to be apportioned from the State School Fund to school districts and county superintendents of schools for various specified purposes. Provides for an amount of \$30,000,000 to be apportioned to large unified school districts, and provides for the apportionment of \$0.20 per a.d.a. for purposes of mathematics improvement programs, an amount equal to 3 percent of State School Fund for purposes of Educational Improvement Act of 1969, and the remainder of State School Fund, not specifically allocated, to be proportionately allocated to school districts on basis of a.d.a.

Increases State School Fund regular foundation program levels per pupil in a.d.a. by \$85 at elementary level, \$72 at the high school level, and \$157 at the community college level. Increases State School Fund foundation program levels for adults by \$125 per a.d.a. at the high school level with a \$0.60, rather than a \$0.50, computational tax rate, and by \$14 per a.d.a. at the community college level, with a \$0.17, rather than a \$0.24, computational tax rate.

Requires Superintendent of Public Instruction, in any year in which Legislature has not adjusted foundation programs, computation rates, and apportionments from State School Fund, to make necessary adjustments to produce a balanced distribution of funds required to be transferred to State School Fund.

Increases from \$12,500 to \$16,000 the assessed valuation per pupil in a.d.a. to qualify an elementary school district for state supplemental support. Increases from \$24,000 to \$40,000, the assessed valuation per pupil in a.d.a. to qualify a high school district for state supplemental support. Revises the prescribed tax rates which an elementary or high school district must levy to be eligible for state supplemental support.

Removes limitation on the amount which a school district which received only basic aid in preceding fiscal year may be allowed for specialist teachers under Miller-Unruh Basic Reading Act of 1965.

Increases allowances to school districts for mentally gifted minor program.

Revises method of computing allowances to school districts for purposes of Educational Improvement Act of 1969.

Revises upward the factors used in adjusting a.d.a. computation for kindergarten classes and defined special training schools or classes when the authorized minimum schoolday is less than 180 minutes.

Prescribes unspecified amounts for total support guarantee for physically handicapped, mentally retarded, severely mentally retarded, and educationally handicapped minors.

Increases from \$0.25 to \$0.30 per \$100 assessed valuation of the district, the computational tax rate used to determine district aid of community college districts. Provides for increased foundation program allowances for a.d.a. in kindergarten meeting specified criteria.

Provides that unallocated balances remaining in State School Fund from amounts allowed county school service funds shall be apportioned as additional state aid to districts receiving equalization aid, rather than reverting to General Fund.

Makes numerous related changes. Jan. 20.

Education—Watch

SENATE CONSTITUTIONAL AMENDMENTS

SCA 4—Rodda (E. & R.)—Eliminates literacy requirement for voting. Incorporates provisions relating to voting proposed by Senate Constitutional Amendment Nos. --, -- and -- of the 1971 Regular Session to be effective only upon the approval of Senate Constitutional Amendment Nos. --, -- or --, respectively, by the electors. Jan. 7.

Elections—Good

SCA 5—Rodda (E. & R.)—Revises prohibition against insane persons and persons convicted of certain crimes voting.

Incorporates provisions relating to voting proposed by Senate Constitutional Amendment Nos. --, -- and -- of the 1971 Regular Session to be effective only upon the approval of Senate Constitutional Amendment Nos. --, -- or --, respectively, by the electors. Jan. 7.

Elections—Good

SCA 6—Rodda (E. & R.)—Reduces the minimum voting age from 21 years to 18 years. Incorporates provisions relating to voting proposed by Senate Constitutional Amendment Nos. --, -- and -- of the 1971 Regular Session to be effective only upon the approval of Senate Constitutional Amendment Nos. --, -- or --, respectively, by the electors. Jan. 7.

Elections—Good

SCA 7—Cologne (Jud.)—Increases rate of interest on judgment rendered in any court of the state from 7 to 10 percent per annum. Jan. 12.

Consumers—Bad

SCA 8—Dymally (G.O.)—Requires Legislature to establish state lottery, proceeds of which are to be distributed for support of kindergarten, elementary, and secondary schools in state and for support of such lottery. Makes conforming changes. Jan. 13.

Miscell.—Watch

SCA 9—Grunsky (Rev. & Tax.)—Allows Legislature to exempt from property taxation dwellings of persons 65 or older, to define "dwelling" and "owner" for purposes of the exemption and to classify dwellings on basis of income of claimant and amount of tax. Jan. 14.

Taxation—Watch

SCA 10—Carrell (G.O.)—Makes Public Utilities Commission elective, as nonpartisan officers, rather than appointive with commissioners to serve four-year terms, commencing with the expiration of the terms of the commissioners in office on effective date of provisions, to be filled at general election. Requires, rather than authorizes, the Legislature to divide state into districts for the purpose of such elections.

Makes other related changes. Jan. 14.

State and Local Government—Watch

SCA 11—Bradley (G.O.)—Eliminates five-day period at end of each regular session to reconsider vetoed bills, eliminates 30-day recess required at end of regular session. Changes effective date of bills to 91st day after final adjournment of regular session. Restores pocket veto. Changes period within which referendum petition may be presented to 90 days after final adjournment session. Jan. 14.

State and Local Government—Good

SCA 13—Alquist (G.O.)—Requires approval by Senate, 2/3 of the membership concurring, of appointments of Governor to the Board of Regents of the University of California. Jan. 19.

State and Local Government—Watch

SCA 14—Rodda (E. & R.)—Permits persons to vote for presidential electors, if otherwise qualified, who have resided in this state for at least 30 rather than 54 days but less than one year. Removes requirement that such persons qualified or could have qualified to vote in state of prior residence. Jan. 20.

Elections—Good

SCA 15—Rodda (E. & R.)—Sets residence requirement for voting at six months, rather than one year, in the state; 30 days, rather than 90 days, in the county; and 30 days, rather than 54 days, in the precinct. Jan. 20.

Elections—Good

SCA 16—Carrell (Rev. & Tax.)—Allows Legislature to exempt from taxation the dwellings of persons aged 65 or older with an income not more than maximum set by Legislature. Allows Legislature to define "dwelling" and "ownership" and makes exemption unavailable if other constitutional exemptions on homes are granted. Jan. 21.

Taxation—Watch

ASSEMBLY CONSTITUTIONAL AMENDMENTS

ACA 1—(Elec. & Reap.)—Reduces the minimum voting age from 21 years to 18 years. Jan. 5. **Elections—Good**

ACA 2—Briggs (Jud.)—Changes the age of majority from twenty-one years to eighteen years. Jan. 5. **Miscell.—Watch**

ACA 3—Dunlap (Rev. & Tax.)—Removes provision requiring 2/3 vote of Legislature to change rates of taxation on banks, insurance companies, corporations and franchises and allows such change by majority vote. Jan. 5. **Taxation—Good**

ACA 4—Foran (Rev. & Tax.)—Authorizes the Legislature, by a two-thirds vote, to establish a different assessment ratio for single-family dwellings, as defined by the Legislature, occupied by an owner thereof on the lien date, than the ratio established for all other locally assessable real property subject to general property taxation, but specifies that the ratio established for single-family dwellings shall not be more than, or more than 10 percent less than, the ratio established for all other real property. Jan. 5. **Taxation—Watch**

ACA 5—Garcia (Elec. & Reap.)—Reduces the minimum voting age from 21 years to 18 years. Jan. 5. **Elections—Good**

ACA 6—Miller (Elec. & Reap.)—Reduces the minimum voting age from 21 years to 18 years.

Changes voter residency requirements for all state and federal elections from one year in the state, 90 days in the county, and 54 days in the county to 30 days for each.

Eliminates literacy requirement.

Eliminates special provision regarding the right of new residents to vote for presidential electors. Jan. 5. **Elections—Good**

ACA 7—Brown (Elec. & Reap.)—Reduces the minimum voting age from 21 years to 18 years.

Changes voter residency requirements for all state and federal elections from one year in the state, ninety days in the county, and fifty-four days in the county to 30 days for each.

Eliminates literacy requirement.

Eliminates special provision regarding the right of new residents to vote for presidential electors. Jan. 5. **Elections—Good**

ACA 8—Burke (Crim. J.)—Adds requirement that officer or employee of state taking state loyalty oath does not belong to prohibited organization knowing of its advocacy of overthrow of government by violent means with the intent to further those illegal aims. Jan. 5.

Civil Rights—Bad

ACA 9—Ryan (Ed.)—Deletes provisions relating to financing of public schools and the State School Fund.

Requires Superintendent of Public Instruction to issue a voucher in each fiscal year to the parent or guardian of each minor in this state subject to compulsory school attendance law, to be redeemable for no less than \$120 by administrative authority maintaining any school in which the minor enrolls. Requires Legislature to appropriate funds therefor.

Prohibits Superintendent of Public Instruction from redeeming any voucher submitted by administrative authority maintaining a school which discriminates in the enrollment of minors on the basis of race, religious creed, color, national origin, or ancestry. Makes related changes. Jan. 5. **Education—Watch**

ACA 10—Vasconcellos (Elec. & Reap.)—Reduces the minimum voting age from 21 years to 18 years. Jan. 5. **Elections—Good**

ACA 11—Vasconcellos (Elec. & Reap.)—Establishes 18 years as the age of majority; and provides that, except with regard to the sale of alcoholic beverages, no person having reached the age of majority shall be denied the rights and privileges of a citizen of this state on the basis of age. Provides that present statutes on age of majority shall remain in effect until 61st day after second legislative session after approval of amendment unless repealed before then. Jan. 5.

Miscell.—Watch

ACA 12—Vasconcellos (Jud.)—Establishes 18 years as the age of majority, and provides that no person having reached the age of majority shall be denied the rights and privileges of a citizen of this state on the basis of age. Provides that present statutes relating to age of majority shall remain in effect until the 61st day after the second legislative session after approval of amendment, unless repealed before then. Jan. 5. **Miscell.—Watch**

ACA 13—McCarthy (Rev. & Tax.)—Deletes provision requiring 2/3 vote of legislature to change rates of taxation on banks, insurance companies, corporations and franchises and allows such change by majority vote.

Authorizes taxation of banks in same manner as other corporations and delete provision for levy of in-lieu tax on banks based upon net income. Jan. 6. **Taxation—Good**

ACA 14—Collier (L. Gov.)—Provides that, for both general law and charter counties, an increase in the compensation of the members of the governing body shall not go into effect until after approval of the electorate. Jan. 11. **State and Local Government—Watch**

ACA 15—Thomas (Elec. & Reap.)—Allows Legislature to provide that unopposed incumbent judge of a court of appeal need not appear on ballot to be reelected. Jan. 11. **Elections—Watch**

ACA 17—Ketchum (Rls.)—Provides that the proceedings of each house of the Legislature and the committees thereof shall be public to the extent provided by statute. Jan. 12.

State and Local Government—Watch

ACA 19—Thomas (Elec. & Reap.)—Permits any person, otherwise eligible to vote, to vote in any primary election regardless of his not having attained the minimum voting age prescribed by law at the time of such election if such person has attained the minimum voting age at or before the time of the next succeeding general election. Jan. 18.

Elections—Good

ACA 21—Roberti (Elec. & Reap.)—Eliminates constitutional provision requiring a naturalized citizen to be naturalized for 90 days prior to becoming eligible to vote. Jan. 21. **Elections—Watch**

SENATE JOINT RESOLUTIONS

SJR 1—Collier (Agr.)—Requests President, Secretaries of Agriculture and Health, Education and Welfare, and Congress to take immediate action relative to the use of surplus unsubsidized agricultural food products. Jan. 4. **Miscell.—Good**

SJR 2—Nejedly (H. & W.)—Memorializes Administrator of the Environmental Protection Agency to prohibit, pursuant to Federal Water Pollution Control Act, discharge from any vessel of any sewage into waters of the state. Jan. 6. **Public Health—Good**

SJR 4—Gregorio (H. & W.)—Memorializes the President and Congress of the United States to amend the Clean Air Act to allow California to enforce and adopt aircraft emission standards stricter than federal standards for aircraft operated in the state. Jan. 18.

State and Local Government—Good

SJR 5—Alquist (Rls.)—Memorializes President and Congress to expand proposed Railpax system to prevent elimination of certain California passenger trains. Jan. 20. **State and Local Government—Good**

SJR 6—Zenovich (G.O.)—Requests President and Congress of the United States to enact legislation which will provide long-range stability for housing construction, declares support for federal revenue-sharing programs to assist housing and opposition to any program to dismantle present housing programs and to any separate attempt to cut back such loan guarantee programs as administered by the Farmers Home Administration, requests Federal Reserve System to ease reserve requirements of banks so more money is available for use as housing loans, urges enactment of legislation to establish a development bank, and urges that the Federal Reserve System be reformed. Jan. 20.

Housing—Good