



**PROTESTING JOBLESSNESS**, some 2,000 trade unionists take part in a march and rally in Los Angeles to demand immediate state and federal action to halt the depression. Union officials in the vanguard of the march Wednesday included: Albin J. Gruhn, president of the California Labor Federation, AFL-CIO, (fifth from left); Marl Young, secretary of Musicians Local 47; John F. Henning, executive officer of the California AFL-CIO; Hal Shean of the Machinists; William Gilbert, AFL-CIO regional director; Jerry Whipple, regional director of the United Auto Workers (partially obscured by "Jobs Now" sign); Sigmund Arywitz, executive officer of the Los Angeles County Federation of Labor which sponsored the march; and Don Vial, newly appointed Director of the State Department of Industrial Relations.

## 2,000 Protest 10% Joblessness in L.A.

Some 2,000 trade unionists marched on City Hall in Los Angeles Wednesday bitterly protesting the areas' 10 per cent unemployment level and demanding immediate action by both the state and federal government to provide needed jobs.

The protesters converged on the Civic Center, chanting "We Want Jobs Now."

Sigmund Arywitz, executive secretary of the Los Angeles County Federation of Labor, AFL-CIO, who addressed the rally from the City Hall steps, was quick to point out that the Ford Administration was to blame for the current economic recession.

But he also said that Congress' record was not good either, charging it with moving too slowly to correct the current economic crises.

"This economy must be turned around," Arywitz said. "It must be recognized that this economic sickness is a political sickness . . . and Gerald Ford doesn't know the way out. We have to be hard on the Ford Administration because they

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## 6.5 Million in U.S. now Getting Jobless Benefits

A total of 6,528,700 people were receiving unemployment insurance benefits of one kind or another during the week ending March 8, the U.S. Labor Department disclosed this week.

Included in that total were 575,600 people who had exhausted their regular unemployment benefits and were receiving extended benefits.

The number of people collecting state unemployment insurance benefits totaled 5,209,800 during the week ended March 8, an increase of 30,100 from the previous week.

These figures indicate that  
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**HUNDREDS OF HARDHATTED CONSTRUCTION WORKERS** demand federal and state action to create jobs at a rally sponsored by the Orange County Central Labor Council and the Orange County Building and Construction Trades Council at the Federal Building now under construction in Santa Ana. More than a thousand trade unionists, many already jobless as a result of the Ford-Nixon Administrations' policies, took part in the unemployment protest march and rally March 20.

## Orange County Workers Demand Action to Spur Jobs

More than a thousand trade unionists marched through the Civic Center area of Santa Ana last week demanding federal and state action to create jobs to ease the deepening unemployment crisis.

Waving signs declaring "We Need Jobs" and "Bulldozers Are Beautiful," the marchers were accompanied by heavy construction mobile equipment and a five-piece Dixieland jazz band as they converged on the Federal Building now being constructed at the South End of the Santa Ana Civic Center complex.

Peter J. Rimmel, executive

officer of the Orange County Central Labor Council, said that the unemployment protest demonstration was held in behalf of the unemployed as well as the under paid workers of the nation.

John F. Henning, executive secretary-treasurer of the California Labor Federation, AFL-CIO, laid much of the blame for the nation's unemployment crisis on what he called "the criminal presidency of Richard Nixon."

Henning also sharply attacked environmental extremists in general and the Sierra Club in particular, charging

that they care "more for animal life than for human life."

"The Sierra Club cares more for inanimate things than the poor in slums and the eight million unemployed," he said.

massive unemployment, Henning called for a constitutional guarantee of employment for all workers able and available

To meet the challenge of for work—a provision to stipulate that if private enterprise cannot produce the jobs the nation needs it will be the obligation of the government to provide those jobs.

He also urged the workers to

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## Urge OK of Price Marking Bill Due for Hearing April 7

If you want to protect your right to know the prices of the products you buy in the supermarket, now's the time to pick up your stubby pencil and write your Assemblyman to urge him to support AB 558, a measure to require the price to be marked on any unit of any packaged consumer goods sold at retail.

Despite testimony a few weeks ago that this California AFL-CIO-backed bill is needed to assure consumers an opportunity to compare prices when shopping, the measure failed to win approval from the Assembly Finance, Insurance and Commerce Committee earlier this month.

But the bill, introduced by Assemblywoman Leona Egeland, is scheduled to be taken up for

reconsideration on Monday, April 7.

Members of the Assembly serving on this committee are: Alister McAlister (D) chairman; John R. Garamendi (D) vice chairman; Tom Bane (D); Paul Bannai (R); Robert Beverly (R); Terry Goggin (D); Leroy F. Greene (D); Richard D. Hayden (R); Walter M. Ingalls (D); William Lancaster (R); John J. Miller (D); Louis J. Papan (D); Leon Ralph (D); Richard Robinson (D); and Bob Wilson (D).

Even if your Assemblyman does not serve on this Committee, write to Committee Chairman McAlister and to your own Assemblyman urging support for this bill. The address for letters to state senators or members of the Assembly is:

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## Action Urged to End FLSA's Exemption of Professionals

Congressional action to end the so-called "professional" exemptions in the overtime provisions of the federal Fair Labor Standards Act is being sought by the Council of AFL-CIO Unions for Professional Employees.

Charging that these exemptions have made "second class citizens of white collar and professional employees," the council said that the exemptions are being used "as a loophole to subvert the law by arbitrarily classifying hundreds of thousands—perhaps millions—of white collar employees as "professionals."

In letters sent to the chairman and ranking minority members of the Labor Committees of both the U.S. Senate and the House, the Council said that this denies such employees the benefits of overtime pay.

"At a time of mounting unemployment, when our country's policy should be to spread the available work, the Labor Department is actually allowing more people to work longer hours for no additional pay, rather than trying to enforce time-and-a-half provisions of the law so that employers would be encouraged to hire more people," Jack Goldner, executive secretary of the Council which comprises 19 affiliated national and international unions, said.

When Congress enacted the FLSA in the 1930's, it gave the Labor Department the task of defining a "professional employee." Subsequently, the Labor Department, as a matter of administrative convenience, set up salary schedules to help make this determination.

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## Rubber & OCAW Unions OK First Step to Merge

The Executive boards of the Rubber Workers and the Oil, Chemical & Atomic Workers have approved a preliminary merger agreement, and committees of the two unions hope to draft a constitution and merger plan that can be acted on at conventions this year.

The current series of meetings is being held at Akron, Ohio, headquarters of the 200,000-member United Rubber Workers. The OCAW, based in Denver, Colo., has about 180,000 members.

Under the "first step" agreement approved by the boards of the two unions as the basis for continuing discussions, the merged union would have four general officers—a president, a secretary-treasurer and two vice presidents. Under the terms of the agreement, the Rubber Workers will designate the president and one vice-president while the OCAW will name the secretary-treasurer and a vice president.

### 3 PLAN TO RETIRE

OCAW President A. F. Grospron and Vice President E. D. Swisher have announced plans to retire if the merger is consummated. On the URW side, Sec.-Treas. Ike Gold also announced his intention to retire if final agreement is reached on the merger. All three took part in the negotiations and recommended approval of the first-step agreement.

At the same meeting that acted on the agreement, Sec.-Treas. B. J. Schafer retired and Vice President Anthony Sabatine was named by the board to succeed him. Robert Goss, administrative assistant to Grospron, was then elected a vice president to fill the vacancy.

URW President Peter Bommarito noted that both unions negotiate with several of the same companies and have been interested in the potential strength that a merger would bring. Bommarito and Grospron are both AFL-CIO vice presidents.

### CONVENTION PUT OFF

Grospron said the OCAW has cancelled plans for holding its convention in Denver, starting Aug. 4, and would reschedule it to coincide in date and city with the URW convention.

The URW had planned to meet at Anaheim, Calif., starting Oct. 13. But the problem of accommodating both union conventions in the same city may result in changing the location and dates of the convention.

If a final merger agreement is reached and endorsed by the executive boards of the two unions, it will be submitted to each of the union conventions.

A majority vote for ratification at each convention will complete the merger, the two union presidents said, and the delegates would then be able to meet jointly as a merged union.

### Publisher's Notice

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# Court Wipes Out L.A. County Workers' Law, Arywitz Says

A Superior Court judge's decision that orders of the Los Angeles County Employee Relations Commission are not binding will force unions to boycott the Commission, Sigmund Arywitz, executive secretary-treasurer of the Los Angeles County Federation of Labor, warned this week.

Appearing before the Los Angeles County Board of Supervisors Tuesday, Arywitz said that the decision by Superior Court Judge Norman R. Dowds on March 18 had effectively gutted the Employee Relations Ordinance, adopted by the Board about six years ago.

Unions representing a majority of the County's 82,000 workers are no longer docile, he said.

They will "go to the streets" and confront the county supervisors with issues as they did before the Employee Relations Commission was created to cope with disputes involving wages and working conditions of county employees, he predicted.

"You had a viable employee relations ordinance and a Commission impartial and able to make decisions," Arywitz pointed out.

"The judge now says the county is free to abide by its rulings or to ignore them.

"By a single stroke," Arywitz said, "the Court wiped out that ordinance . . . it is gutted and no longer anything but a definition of management prerogatives. Your employees are not going to be rebuffed without reaction," he said.

He suggested that the supervisors must give the Commission the power and strength necessary to enforce its decisions.

Arywitz also said that unions would appeal the ruling by Judge Dowds.

The Supervisors subsequently instructed County Counsel John

H. Larson to analyze the court's ruling and directed Personnel Director Gordon T. Nesvig to study a report made several years ago by Benjamin Aaron, a labor expert, which dealt

with ways of strengthening the county's labor relations ordinance.

Nesvig is scheduled to make his recommendations to the Board on April 15.

## South Carolina Ploy Kills Hope of OK of ERA in 1975

Hopes of hammering the Equal Rights Amendment into the U.S. Constitution this year were quashed this week when the South Carolina House of Representatives defeated a motion to ratify the amendment by a 46 to 43 vote that took ERA supporters by surprise.

Thirty-five of the state's 124 House members were not recorded as voting on the measure. The vote was taken only minutes after a luncheon break. The chamber subsequently voted 56 to 43 against reconsidering its vote.

The Equal Rights Amendment would outlaw discrimination on the basis of sex. Thirty-four states, including California, have ratified the ERA but ratification by 38 states is necessary to nail it into the constitution.

North Carolina, Florida and Missouri still have ERA measures up for consideration in their legislatures this year but, even if all three states approved it, it would still be one state short of ratification.

Both the California Labor Federation, AFL-CIO, and the National AFL-CIO support the Equal Rights Amendment.

In adopting a policy statement on "Women" at its biennial convention last year, the California AFL-CIO described the ERA as "precisely the kind of clear statement of national commitment to the principle of equality of the sexes under the law that working women and their unions can use to advantage in their efforts to eliminate employment discrimination against women."

The policy statement also called for stronger legislation to encourage collective bargaining in female-intensive industries; restoration of child care center funds vetoed by Nixon; full enforcement of the Equal Pay Act; disability insurance benefits for pregnant women; and the elimination of outmoded laws and practices affecting women regarding property rights, jury service, criminal sentences and extension of credit.

## Douglas Barrett Wins CHS Award

Douglas Barrett, administrative assistant to John F. Henning, executive officer of the California Labor Federation, was one of six individuals receiving the California Historical Society's "Award of Merit" at the Society's annual conference in Monterey on March 22-23.

The recognition is extended for "outstanding contributions

to California History." Barrett's specialty in the field is in the area of the central and eastern Sierra, around Truckee, Lake Tahoe and Donner Summit.

The awards were presented by Dr. Rodman Paul of Pasadena for the CHS trustees. Fred S. Farr, former state senator from Monterey, was reelected president of the society at the meeting.

## California AFL-CIO's 'We Don't Patronize' List

The following firms are 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 and only after approval by the Executive Council.

All trade unionists and friends of organized labor are urged not to patronize firms listed here.

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:

Broadway Theatre, 4th and Broadway, Santa Ana.  
Gaffers & Sattler products  
Hertzka and Knowles, San Francisco architects.

Kindair Theater Corporation, operators of the following anti-union theaters in Santa Cruz and Monterey Counties;

Cinema 70 in Monterey;  
Steinbeck Theater in Monterey;  
Valley Cinema in Carmel Valley;

Globe Theater in Salinas;  
Cinema Theater in Soquel; and,  
Twin I & II in Aptos.

Montgomery Ward in Redding.  
Newporter Inn, Newport Beach  
Norm's Restaurant at the following locations in the Los Angeles area;

1270 South Crenshaw, Los Angeles;

2500 East Slauson Ave., Huntington Park;

2890 South La Cienega Blvd., Culver City;

8500 South Figueroa St., Los Angeles;

4700 Sunset Blvd., Los Angeles;

270 North La Cienega Blvd., Los Angeles;

6353 Sunset Blvd., Los Angeles;

13636 Sherman Way, Van Nuys.

Other Norm's Restaurants in Los Angeles County excluding the eight listed above, are in good standing with organized labor.

Pemko Mfg. Co., Emeryville, Calif.

R & G Sloane Mfg. Co., 7606 Clybourne Ave., Sun Valley, Calif.

San Rafael Independent-Journal.

Sea World, San Diego

The following San Diego area motels:

Bahia Motel and Motor Lodge, Catamaran Motor Hotel and Restaurant.

The following: Queen Mary — Specialty Restaurants in Long Beach;

The Lord Nelson Room

The Lady Hamilton

Sir Winston Churchill's

The Verandah Grill

All banquets and fast food stands.

The following restaurants on Union Street in San Francisco:

Thomas Lords

Mother Lode

Cooperage

Coffee Cantata

Vintners

Hudson Bay West

Perry's

Victoria Station

The Dell

The Godfather

Mingai-Ya

Jim's Grill

Restaurants in Ghirardelli

Square, San Francisco:

Magic Pan

The Mandarin

Ghirardelli Wine & Cellar Cafe

Other eating places in San Francisco:

McDonald's Hamburger (all);

Colonel Sanders Kentucky

Fried Chicken (all);

H. Salt Esquire Fish & Chips

(all);

Jack In The Box (all);

Benihana of Tokyo;

Head Hunter Amusement Park

of San Francisco;

Kau Kau Gardens;

Carol Doda's;

Mabuhay Restaurant; and

The Casbah.

Tennessee Plastics of Johnson

City, Tennessee.

The Nut Tree and the Coffee

Tree Restaurants on Highway 40

between San Francisco and Sacramento.

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

## Minorities Post Gains in Calif. Apprenticeships

Despite the decimation of job opportunities by the current depression, the proportion of minority apprentices in California's jointly administered labor-management apprenticeship programs increased from 22.4 percent to 24.5 percent last year, a state report disclosed this week.

The report also found that blacks and American Indian apprentices already equal their proportion in the state's population and that Mexican and other Spanish-American apprentices are nearing that goal as required by federal and state laws.

There were 2,523 black apprentices in 1974 (7.2 percent of the total) and 694 American Indians (2 percent).

The 1970 census pegged the state's population at seven percent black and .5 percent American Indian.

Mexican and other Spanish-American apprentices accounted for 13.1 percent of all apprentices but represent 15.5 percent of the general population, the report said.

California's four-year plan for equal opportunity in apprenticeship (Cal-plan) calls for enrollment of minorities in apprenticeship in proportions equal to their proportions in the general population by April 1976.

Robert W. Clottu, acting chief of Apprenticeship Standards of the State Department of Industrial Relations, noted that the report shows that while minorities shared in the overall loss of apprenticeship jobs during 1974, their loss was less than non-minorities.

Minority apprentices declined from 8,669 at the end of 1973 to 8,575 at the end of 1974, a 1.1 percent drop.

All apprentices registered under state programs dropped 9.6 percent during 1974—from 38,709 in 1973 to 34,984 last year, the first loss since 1967.

A 13.4 percent drop among apprentices in construction trades accounted for most of the overall drop, the report said.

New apprentices enrolled during 1974 totalled 14,129 or 29.6 percent fewer than the 20,073 enrolled in 1973.

Copies of the report, titled "Characteristics of Registered Apprentices in California, December 1974," may be obtained by writing to the State Division of Apprenticeship Standards, P.O. Box 603, San Francisco, CA 94101.

Seven major trade groups, including five in construction, gained in minority representation in 1974 while losing apprentices overall. They were: printing and lithography, automotive repair, lathers, pipe trades, electrical trades, operating engineers and sheet metal workers.

Six trade groups posted gains in both total and minority apprentices in 1974. They were: metal, service, meat, brick and tile, asbestos, and roofing.

Both the total number of apprentices and minority apprentices declined among carpet and linoleum workers, painters and glaziers, surveyors, plasterers, carpenters, iron workers, and cement masons.

The report covers minority apprentice participation by trade and by county, age, number of dependents, education, veteran's status, prior work experience of enrolled apprentices and the growth of women apprentices.





**ACTION TO CREATE JOBS NOW** is the central focus of trade unionists addressing a rally to protest the state's deepening unemployment crisis in Santa Ana. Speakers at the March 20 march and rally included (from left): Bob Miller, assistant to the director of the Orange County District Council of Carpenters; Pete Rimmel, secretary-treasurer of the Orange County Central Labor Council; John F. Henning, executive sec-

retary-treasurer of the California Labor Federation, AFL-CIO; William L. Gilbert, western regional director of the AFL-CIO; Bill Lassley, secretary-treasurer of the Los Angeles Metal Trades Council; Al Gray, secretary-treasurer of the Orange County Building and Construction Trades Council; and Jack Follen, president of the Orange County Central Labor Council.

## Orange County Workers Demand Action to Spur Jobs

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demand the release of \$19 billion impounded by former President Nixon to provide funds for better housing and roads and to call for action by the present administration to support pending legislation to appropriate \$7.8 billion for public service jobs and lower interest rates.

(Earlier this month, the House of Representatives approved an emergency employment bill to provide \$5.93 billion to create about 900,000 jobs and sent it to the Senate. But Ford Administration spokesmen have said that they will urge the President to veto the bill.)

"We are here to protest unemployment and the economic policies of the federal government of the United States," Henning said.

"The source of those policies was the criminal presidency of Richard Nixon and those policies are being continued by Gerald Ford.

"We won't remain silent any more and we will use any constitutional means at hand to regain full employment in this nation," Henning declared.

Henning also urged the workers to press for action on the AFL-CIO's program to put America back to work.

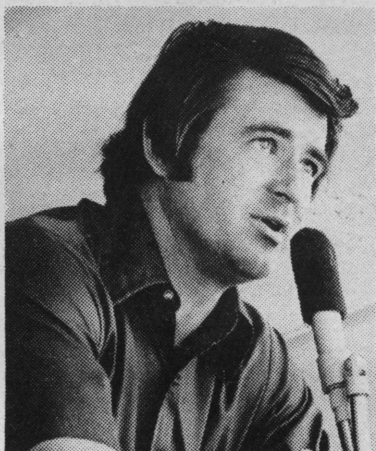
On the federal level, the AFL-CIO program calls for:

- ✓ Release of the \$19 billion in impounded funds and enactment of the public service jobs program;
- ✓ Placement of the oil industry under federal regulations as a public utility;
- ✓ Utilization by President Ford of the power given to the presidency in 1969 to curb interest rates and allocate credit on the basis of social need;
- ✓ A \$30 billion tax cut for low and moderate income workers;

- ✓ Action to protect U.S. jobs from unfair foreign competition; and,
- ✓ Federal standards for unemployment insurance, including extension of the duration of benefits for 52 weeks on a permanent basis and establishment of benefits at three-quarters of average weekly earnings in each state as well as other measures to ease the impact of unemployment on workers and their families.

At the state level, the California AFL-CIO is pressing for action on legislation to provide:

- ✓ \$450 million for housing for low and moderate income families;
- ✓ \$500 million for public works;
- ✓ Collective bargaining



**EARL WOODEN**  
Vows Push to Create Jobs

rights and unemployment insurance for farm workers;

- ✓ Collective bargaining rights for public employees;

- ✓ A \$3 an hour state minimum wage; and,

- ✓ A boost in California's maximum unemployment insurance benefits from \$90 to \$120 a week.

Ray Mendoza of the Laborers International Union who is also a vice president of the California AFL-CIO, urged the irate workers to make the site of the next unemployment protest rally at Richard Nixon's San Clemente estate.

William L. Gilbert, western regional director of the AFL-CIO, said that the country has been run for the past seven years by "a bunch of Wall Street geniuses who have no real program for America."

Earl Wooden, business representative of District Council of Painters No. 48 who is also a member of the Orange County Planning Commission, pledged that he would do everything possible to create more jobs in the area.

## Urge OK of Price Marking Bill Due for Hearing April 7

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State Capitol, Sacramento, California 95814.

The AFL-CIO is strongly opposed to attempts by the giant food chains to abandon price-marking of consumer products. Such action would wipe out thousands of jobs without any guarantee that any savings would be passed on to consumers.

By making price-comparison shopping even more difficult than it already is, it could increase the temptation toward price gouging in the food industry, consumer experts main-



**HENRIETTA LOCKE**  
Senior Citizens' Speaker

Henrietta Locke, a retired member of AFGE now serving as labor's representative to the Orange County Council of Senior Citizens, urged the throng to continue the fight for full employment. She reminded the trade unionists that AFL-CIO President George Meany has called for the creation of retiree organizations at the local union and county central body level and stressed the point that retirees do have political clout because they are more likely to go to the polls and vote than any other age group in the country.

"We may consistently vote wrong, but you can help correct this by keeping us posted on what our elected representatives are doing to us," she said.

Mrs. Locke introduced Mary Ainsworth, of the Orange County Retirees Action Coalition, who denounced President Ford's proposal to limit the scheduled cost-of-living increases for social security recipients this year to five percent instead of the 8.7 percent already authorized for them.

tain.

AFL-CIO President George Meany urged all state and local central bodies earlier this month to support legislation at all levels of government to require that every consumer product sold at retail have the price clearly marked on it.

Meany also suggested that when a store installs computerized checkout stands with no prices on the merchandise, trade unionists should let the store management and the general public know that the consumers object to the elimination of price marking.

## More Action Vital For Labor's Plan To Create Jobs

More action at every level of the labor movement is vitally needed to get Congress and the executive branch to act on effective measures to halt the nation's deepening depression.

That's what Don Slaiman, assistant director of organization and field services for the AFL-CIO, told the executive council of the California Labor Federation at its meeting in Sacramento earlier this month.

Asserting that the Ford administration's actions so far have been "inadequate" and that "it is going in the wrong directions," Slaiman said that action will be required on almost every point of the AFL-CIO's six point program to turn the country around.

"Congress isn't responding fast enough," Slaiman said. "The tax cut won't be enough!"

Interest rates must be lowered, housing programs initiated and the \$19 billion in impounded funds released just to begin to change the situation, he said.

Slaiman, who served for years as director of the AFL-CIO Civil Rights Department, stressed the point that while the labor movement has a good program, it is essential that all segments of organized labor "keep on hitting" to get it enacted.

"We have to get better information on what is happening on the hill to you on the key demands," he said.

He said that the field staff of the AFL-CIO's Department of Organization and Field Services is available to state and local central bodies as are the AFL-CIO Community Services and Human Resources Development Institute staffs to help drive home the point that the need for effective action to cope with the current economic crisis is the current number one priority facing organized labor.

"If we have a 30's type of depression for any period of time," Slaiman warned, "the very existence of democracy is threatened."

### An Economist's View

"It becomes ever more likely that the history books will record this episode as a depression rather than a recession. It would take a miracle to stop unemployment below nine percent and it is close to an even bet that it will reach 10 percent." — economist **Arthur Okun**, now of the Brookings Institute, who served as chairman of the Council of Economic Advisors under President Johnson.

## 12 Calif. GOPers Vote to Cut Funds To Create Jobs

Despite the fact that unemployment in California is now at its highest level in a quarter of a century with almost one million jobless, 12 California congressmen, all Republicans, voted in favor of a motion to send a bill to provide \$5.9 billion to create jobs back to the Appropriations Committee with instructions to cut the funds in half.

The motion, sponsored by a Republican, was rejected by a vote of 315 to 109 on March 12 when 272 Democrats and 43 Republicans voted against recommitment and 100 Republicans and 9 Democrats voted for recommitment.

California congressmen voting for recommitment and therefore against the AFL-CIO position in support of the emergency job funds, were:

Reps. **Don H. Clausen** of Crescent City who represents workers in Del Norte, Humboldt, Lake, Mendocino, Sonoma and part of Napa Counties; **Paul N. "Pete" McCloskey, Jr.** of San Mateo; **William M. Ketchum** of Bakersfield; **R. J. Lagomarsino** of Ventura; **Barry Goldwater, Jr.** of Tarzana; **Carlos J. Moorhead** of Glendale; **John H. Roussetot** of Arcadia; **Alphonzo Bell** of Los Angeles; **Del Clawson** of Downey; **Andrew J. Hinshaw** of Santa Ana; **Bob Wilson**, San Diego; and **Clair Burgener**, San Diego.

Voting in support of the AFL-CIO position on this key motion were 28 California Democrats and one Republican, namely:

Reps. **Harold G. Johnson** (D); **John Moss** (D); **Robert L. Leggett** (D); **John L. Burton** (D); **Phillip Burton** (D); **George Miller** (D); **Ron Dellums** (D); **Fortney H. Stark** (D); **Don Edwards** (D); **Leo J. Ryan** (D); **Norman Y. Minetta** (D); **John J. McFall** (D); **B. F. Sisk** (D); **Burt L. Talcott** (R); **John Krebs** (D); **James Corman** (D); **Tom Rees** (D); **Henry Waxman** (D); **Edward R. Roybal** (D); **Yvonne W. Burke** (D); **August F. Hawkins** (D); **George E. Danielson** (D); **Charles H. Wilson** (D); **Glenn Anderson** (D); **Mark W. Hannaford** (D); **Jim Lloyd** (D); **George E. Brown** (D); **Jerry M. Patterson** (D); and **Lionel Van Deerlin** (D).

Rep. **Charles E. Wiggins**, a Republican of West Covina, was absent. There is a vacancy in the 37th Congressional District seat held by the late Republican Congressman **Jerry L. Pettis**, who died in a plane crash.

## Retiring Soon? Check Your SS Benefits

People planning to retire soon can estimate the amount of their monthly social security check with the help of a free leaflet available at any social security office.

The leaflet "Estimating Your Social Security Retirement Check" explains how much work individuals need to be eligible for social security benefits and shows them how to figure the approximate amount of the monthly retirement payments to them and their families.





**STRESSING THE NEED FOR FULL EMPLOYMENT**, John F. Henning, executive officer of the California AFL-CIO, tells workers protesting unemployment in Los Angeles that "If the U.S. can feed half the world and arm the other half, we can find jobs for eight million jobless Americans." Signs carried by demonstrators called for action to halt the exportation of U.S. jobs, to release billions in public works funds impounded by Nixon, to "Roll Back Prices Now" and to enact a National Health Security plan for all citizens.

## 2,000 Protest 10% Joblessness in L.A.

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have been hard on us," he said.

Arywitz said Congress must quickly pass a \$30 billion tax cut bill. (Congress sent a \$22.8 billion bill to the White House on Wednesday. Action from the Ford Administration on the legislation was still pending at press time.)

Arywitz also called for a roll-back on interest rates, a tax on excess profits, a program to make the nation self-sufficient in energy and a plan to push back the influence of multinational corporations on the U.S. government.

Mayor Tom Bradley, who greeted the marchers when they arrived at the City Hall, pledged his support to the principles of the demonstrators.

Noting that there are 10 million Americans out of work, Bradley called on the Congress to act quickly to release the \$19 billion in government funds for sewage projects and other public works impounded by Richard Nixon. The money should be used for much needed housing and other construction throughout the country, he said.

John F. Henning, executive secretary-treasurer of the California Labor Federation, AFL-CIO, said:

"If the U.S. can feed half the

world and arm the other half, we can find jobs for eight million jobless Americans."

Protesting the heavy handed attitude of some environmentalists, Henning denounced "environmental extremists who care more for animal life than human life."

"We should march not only on Congress and local government, but on the Sierra Club and other organizations that don't stand with us in our demand for work."

The fact that so many Americans are out of work is "a social crime and a disgrace," Henning said.

"Eight million of those we like to call 'free Americans' are prisoners of the worst economic crisis since The Great Depression of the 1930s," he declared.

Jerry Whipple, regional director of the United Auto Workers, called the economic crisis a depression.

He said both Nixon and Ford miscalculated that a little unemployment would solve the problem of inflation, but instead the nation now has both.

The price paid, according to Whipple, was the shattering of many workers' dreams.

Ruth Miller, speaking for the Coalition of Labor Union Women, said women in the work force were the first to be let off the job during this current economic crisis.

"We must have a program which reduces the hours of work to make more jobs available. We all must work for full employment — that is the purpose of CLUW," she said.

Don Vial, newly appointed director of the California Industrial Relations Department, said that as an appointee of Governor Edmund G. Brown, Jr., he is pledged to bring work to the unemployed in California.

"I am marching with labor because I belong with the working man," Vial said. "There is a job to be done to get people back to work."

Albin J. Gruhn, president of the California AFL-CIO, and William Gilbert, AFL-CIO regional director, also addressed the demonstration.

## Sen. Scott Backs Royalties for Performers

Senate Republican Leader Hugh Scott has pledged to fight for legislation in the 94th Congress to include performance royalty provisions in the copyright law.

The legislation which Senator Scott calls for would require those who use sound recordings for profit to pay a performance royalty to those who make a creative contribution to the recorded music. "The amount would not be great," Senator Scott explains, "but it would provide a fund out of which these creative individuals (musicians, vocalists, narrators) could be compensated when another was using the result of the artist's effort for profit..."

Senator Scott announced his plan to seek performance royalty through amendment of the copyright laws in an article written for simultaneous publication in two trade union quarterlies. His article appears in the Winter '75 issues of INTER-FACE and AFTRA, published respectively by the Council of AFL-CIO Unions for Professional Employees and the American Federation of Television and Radio Artists.

The present copyright laws have long provided for such royalty payments to composers and publishers, but not for performing artists.

Past attempts to enact similar legislation have been fiercely opposed by the broadcasting and juke box industries.

"The real issue," says Senator Scott, "is whether or not a person who uses his creative talents to produce music should be entitled to compensation from someone who takes the music and makes a profit from it..." He notes that to date approximately forty other countries have established performing rights in recordings.

The Council has in the past endorsed the concept of performance royalty. At its most recent convention in October, 1973, it urged action by the Congress to "achieve reform of our nation's copyright law so that performing artists are assured a fair compensation from the use of their recorded works."

## KQED to Air Work Hazards Show April 11

"Danger — Hazardous Work Environment" is the title of a program to be televised at 6:30 p.m. April 11 in the San Francisco Bay Area by KQED, the regions' educational station at Channel 9.

The program will include a 10-minute slide presentation illustrating occupational-related illnesses and injuries in various work places followed by a panel discussion that will highlight the need for worker involvement in improving safety conditions on the job.

Interested workers and their families are urged to watch the program since viewer response will determine whether additional programs on worker health and safety will be scheduled, according to the Labor Occupational Health Project of the Center for Labor Research and Education of the Institute of Industrial Relations at the University of California at Berkeley which helped develop the program.

## Forum to Review Title VII's Impact On Bargaining

An all-day forum for union leaders on the impact of Title VII of the 1964 Civil Rights Act on the collective bargaining process will be held at the Claremont Hotel in Oakland on Friday, April 25.

The forum, designed to broaden the knowledge of trade unionists involved in the negotiation and administration of union contracts, will explore the impact of Title VII on union contract language dealing with promotions, seniority, the grievance procedure and other related issues.

Title VII prohibits all forms of employment discrimination on the basis of race, color, religion, sex, or national origin.

The forum is sponsored by the Center for Labor Research and Education of the Institute of Industrial Relations at the University of California at Los Angeles in cooperation with the Center for Labor Research and Education at U.C. Berkeley.

Further information on the conference may be obtained by contacting Valerie Douglas, Center for Labor Research and Education, Institute of Industrial Relations, University of California, Berkeley, Ca. 94720. Phone (415) 642-0323.

## Fed Scholarship Winner Selected For 'Who's Who'

Deborah Waite, a 1971 winner of a \$500 California Labor Federation scholarship, has been selected to be included in the 1974-75 "Who's Who Among Students In American Universities and Colleges."

Miss Waite, the daughter of James Waite, a member of the Los Angeles Typographical Union Local 174, is currently a senior at Azusa Pacific College where she is majoring in biology.

Dr. Cornelius P. Haggard, president of the college, said that her selection for inclusion in the volume is "one of the most prestigious awards the academic community can bestow."

Dr. Haggard pointed out that a student's selection for this honor is based on academic excellence and service to both college and community.

## Action Urged to End FLSA's Exemption Of Professionals

(Continued from Page 1)

The Department has held, at least up to April 1, 1975, that all employees earning less than \$125 a week are not "professional." But white collar workers earning more than \$140 a week are considered "professionals" if they and their job functions meet certain qualifications of training, autonomy, creativity, etc.

And employees earning \$200 per week and more are almost invariably classified as "professionals" unless they are obviously blue collar workers.

Being a "professional" exempts employees from the FLSA's overtime pay provisions, denying them the right to overtime pay for overtime worked.

Data developed by the Bureau of Labor Statistics indicates that more than 16 million workers, or one out of every five employed as of May 1974, reported working more than 40 hours per week but 60 percent of these received no overtime pay.

As of April 1, new salary requirements established by the Labor Department go into effect. The \$140 guideline will be increased to \$170 and the \$200 figure will be increased to \$250.

But these figures are "far too low," the Council said, pointing out that these increases do not even begin to keep pace with the rise in the cost of living. The initial guidelines were based on 1968 figures and the cost of living has risen 50 percent since then. The Department's proposed increases in the levels of exemption range from 22 percent to 25 percent.

The Council charged that the "apparent disregard on the part of the Wage-Hour Administration for the welfare of the people the law is supposed to protect" suggests maladministration of the FLSA "to such an extent as to warrant investigation" by the appropriate committees of Congress.

The Council's protest was directed to Senators Harrison Williams, chairman, and Jacob Javits, ranking minority member of the Senate Labor and Public Welfare Committee, and to Representatives John Dent, chairman, and John Erlenborn, ranking minority member of the House Subcommittee on Education and Labor.

Asserting that the nature of the American workforce has changed "tremendously since the 1930's," the Council said that "whatever justification may have existed originally for separating professional employees from other workers" no longer exists.

It pointed out that 14 percent of all employees today are professional compared with only eight percent in 1940 and most are employed by large organizations and suffer "the same lack of control over their jobs and working conditions as non-professionals."

The Council of Professional Employees represents more than one million professional and technical people, including musicians, actors, broadcast and theater technicians, teachers, doctors, chemists and engineers.

George Gill, executive vice president of the AFL-CIO Communications Workers of America, is acting president of the Council.

## 6.5 Million in U.S. now Getting Jobless Benefits

(Continued from Page 1)

more than 11 percent of the people now drawing unemployment insurance benefits throughout the nation have exhausted their regular benefits.

The number of initial claims for unemployment insurance, however, dropped below 500,000 for the first time since November 16, 1974. New claims for the week ended March 15 totaled 496,200, 73,200 below the previous week.

The Labor Department said that about 65 million workers are covered under state unemployment insurance programs.



# THE CALIFORNIA AFL-CIO's

## DIGEST OF BILLS

The measures below introduced in the 1975-76 regular session of the California Legislature are classified by the California Labor Federation as "Good," "Bad," or "Watch." 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.

### ASSEMBLY BILLS

**AB 802—Siegler (Fin., Ins., & Com.)**—Existing law does not require that a price tag be affixed to the shelves upon which goods are offered for sale at retail. This bill requires persons who sell goods at retail to affix a price tag to the shelves upon which such goods are displayed.

This bill also appropriates an unspecified amount to the State Controller for disbursement to local agencies for costs incurred by them pursuant to this act. February 17.

**Consumers—Good**

**AB 804—Berman (P.E. & Ret.)**—Existing statutes do not address themselves specifically to grievance procedures for academic employees of the Trustees of the California State University and Colleges; however, the trustees, pursuant to their general statutory powers re administering the system and governing employees, have adopted administrative regulations which delegate to the chancellor the duty to prescribe rules of procedure for grievance proceedings for academic personnel. Existing statutes provide grounds and procedures for the dismissal, demotion, and suspension of employees of the trustees, and afford affected employees the right to a hearing by the State Personnel Board.

This bill would require the Trustees of the California State University and Colleges to establish grievance and disciplinary action procedures for academic employees whereby grievances and disciplinary actions shall be heard before a faculty hearing committee which is required to make recommendations to state university and college

presidents, each party to the dispute having specific procedural rights. This bill would provide for arbitration if a state university or college president and faculty committee's decisions are in disagreement.

This bill would specify that in the case of a grievance or disciplinary hearing which is subject to a State Personnel Board hearing, the foregoing procedures are an alternative to, and do not supersede or replace, those of Secs. 24306 to 24309, inclusive, and Sec. 24311.1, Education Code, but that the prescribed grievance procedure is exclusive with respect to grievances not subject to a State Personnel Board hearing.

This bill would define "grievance." February 17.

**Education—Watch†**

**AB 808—Keysor (Elec. & Reap.)**—Present law now provides no public financing of campaigns for public office.

The bill would provide for partial funding of campaigns for partisan offices through reimbursement from public funds. The bill would provide partial funding for general, primary, and special elections, and place limitations on expenditures and contributions on behalf of candidates for such offices.

The bill would place administration of the reimbursement program with the Fair Political Practices Commission and provide necessary amendments to existing law to accomplish that result.

The bill would provide for civil and criminal penalties for violation of the act. The Attorney General and the district attorney of

### KEY TO ASSEMBLY ABBREVIATIONS

Committee Abbreviations	Committee
(Agri.)	Agriculture
(Crim. J.)	Criminal Justice
(Ed.)	Education
(Elec. & Reap.)	Elections and Reapportionment
(Ener. & D.M.)	Energy and Diminishing Materials
(Fin., Ins., & Com.)	Finance, Insurance, and Commerce
(G.O.)	Governmental Organization
(Health)	Health
(H. & C.D.)	Housing and Community Development
(Human Res.)	Human Resources
(Intergov. Rel.)	Intergovernmental Relations
(Jud.)	Judiciary
(Labor R.)	Labor Relations
(L. Gov.)	Local Government
(P.E. & Ret.)	Public Employees and Retirement
(Res. & L.U.)	Resources and Land Use
(Rev. & Tax.)	Revenue and Taxation
(Rls.)	Rules
(Trans.)	Transportation
(W. & M.)	Ways and Means

### KEY TO SENATE ABBREVIATIONS

Committee Abbreviations	Committee
(Agr. & Wat. Res.)	Agriculture and Water Resources
(B. & P.)	Business and Professions
(Ed.)	Education
(Elec. & Reap.)	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.E. & R.)	Public Employment and Retirement
(P.U., T., & E.)	Public Utilities, Transit and Energy
(Rev. & Tax.)	Revenue and Taxation
(Rls.)	Rules
(Trans.)	Transportation



## ASSEMBLY BILLS (Cont'd)

any county in which a violation occurs would have concurrent powers and responsibilities for enforcing criminal provisions of the act.

The bill appropriates \$500,000 in excess of the \$1,000,000 allocated for operation expenses of the Fair Political Practices Commission for each year subsequent to 1974-75.

The bill appropriates an unspecified amount to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act. February 17.

### Elections—Watch

**AB 815—Foran (Fin., Ins., & Com.)**—Existing law provides that the determination of whether or not a person is eligible for receipt of unemployment compensation benefits, and the amount of such benefits, depends upon the amount of wages paid to the person in covered employment during his "base period." The base period is, very generally, the four calendar quarters ending six months prior to the quarter in which the person's benefit year began. Periods of unemployment during the base period, from whatever cause other than physical disability, do not extend the person's base period.

This bill would extend the base period by one quarter for each quarter of the person's normal base period during which he performed no services in covered employment for 60 or more days as a result of a trade dispute.

The bill would also appropriate an unspecified amount to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act. February 17.

### Unemployment Insurance—Watch

**AB 816—Vicencia (H. & C.D.)**—Under existing law, the Commission of Housing and Community Development is required to adopt, and has adopted, minimum standards for the painting of housing. However, the existing law states that adoption of such standards is not to be construed as requiring the Department of Housing and Community Development or any department of any city or county to inspect the painting of housing or to enforce such standards.

This bill would delete the existing provision of law which states that adoption of painting standards for housing is not to be construed as requiring the Department of Housing and Community Development or any department of any city or county to inspect painting of housing or to enforce such standards. Thus, such standards would be subject to enforcement in the same manner as other standards adopted by the commission, including inspection of the painting of housing. Feb. 17.

### Miscellaneous—Watch†

**AB 820—Berman (Ed.)**—Under current statutory law, the Commission for Teacher Preparation and Licensing is required to revoke or suspend the credential of a person for, among other things, immoral or unprofessional conduct or evident unfitness for service. Under current decisional law, the conduct in question must relate to fitness to teach.

This bill would amend the statute to specify that such conduct must be related to the employee's fitness to teach or classroom performance. This bill would also list certain factors which the commission must consider in order to determine whether or not the conduct is related to such fitness or performance. Feb. 17.

### Education—Watch†

**AB 822—Keysor (Elec. & Reap.)**—(1) Under existing law, registration of voters is required to be in progress at all times except during the 29 days immediately preceding an election when registration shall cease for that election.

This bill would, after July 1, 1976, permit the registration of voters subsequent to the 29-day cutoff period and up and until the 10th day preceding an election, and would treat such late registration as an application for an absentee ballot for the pending election.

This bill would also permit the registration on election day of otherwise eligible voters and would provide that such persons may vote after having so registered.

(2) Under existing law the contents and form of a voter's affidavit is presently specified.

This bill would delete various requirements regarding the content

and form of a voter's affidavit of registration, and would require that such affidavit contain certain new material.

(3) Under existing law an affidavit of registration is required to be subscribed and sworn to in the presence of a county clerk or a deputy county clerk.

This bill would delete the requirement that such affidavit be subscribed and sworn to in the presence of a county clerk or a deputy county clerk. It would provide that affidavits of registration be printed on a two-piece perforated card, known as a voter registration card. On one piece of such card would be printed the entire text of the affidavit of registration; and on the other piece of such card would be printed voter information. Completed voter registration cards, signed by the affiant, would be submitted either by mail or in person to the county clerk or a deputy county clerk.

(4) Under existing law certain duties and responsibilities are imposed on county clerks, deputy county clerks, and registration clerks with respect to registration books, pads, forms, affidavits of registration, unused affidavit blanks, and voter registration stubs.

This bill would delete substantially all of such duties and responsibilities; and it would require all deputy county clerks and registration clerks to return all completed voter registration cards in their possession on the 30th day before an election, and would require such persons to return all completed late registration cards which are in their possession on the 10th day before an election.

This bill would also require the Secretary of State and each county clerk to make available at all times voter registration cards.

This bill would also appropriate an unspecified amount to the State Controller for allocation and disbursement in accordance with a specified schedule. February 17.

### Elections—Watch

**AB 823—Dixon (Ed.)**—Existing statutes do not provide for the issuance of certificates for temporary teacher-assistants.

This bill would: require county superintendents of schools to issue, for a period not exceeding 2 years, a certificate authorizing service as a teacher-assistant, to the holder of a recommendation from an accredited college, university, or community college; prohibit use thereof in lieu of a teaching credential; require holders thereof to work under the immediate supervision and in the presence of a credentialed classroom teacher who must be available at all times to provide guidance and direction.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act. February 17.

### Education—Watch†

**AB 824—Dixon (Ed.)**—(1) Existing law permits the establishment of trustee areas for the election of members of governing boards of school districts.

This bill would require that members of elective city boards of education, where not otherwise governed by charter, must be elected from trustee areas, that members be electors of the trustee area they represent, and that the trustee areas be as nearly equal in population as practicable.

(2) Under existing law, the county committee on school district organization may abolish trustee areas.

This bill would remove that power.

(3) Existing law authorizes the county committee on school district organization to make various recommendations regarding trustee areas.

This bill would require that, by July 1, 1976, the county committee must take action to ensure that trustee areas are as nearly equal in population as practicable.

(4) This bill would specify that any costs incurred by local agencies pursuant to the bill would be incurred as part of their normal operating procedure and so need not be reimbursed under Section 2231 of the Revenue and Taxation Code. February 17.

### Education—Watch†

**AB 825—Dixon (P.E. & Ref.)**—(1) Under existing law, certain school districts which have adopted the merit system with respect to school classified employees are required to make appointments in



## ASSEMBLY BILLS (Cont'd)

the classified service from the first two applicants on the eligibility list while others are required to make appointments in the classified service from the first three applicants on the eligibility list.

This bill would require all school districts that have adopted the merit system to make appointments in the classified service from the first three applicants on the eligibility list. In addition, this bill would require examinations for classes designated as technical, professional, administrative, or executive by the personnel commission of the district to be rounded to the nearest whole percent for all eligibles and consider all such eligibles having the same percentage score to have the same rank.

(2) Current law requires the personnel commission of a school district which has adopted the merit system, in making appointments to classified positions which require an applicant to speak, read, or write a language in addition to English or possess a valid driver's license, to certify the top applicant or applicants if there are insufficient applicants who meet the special requirements.

This bill would no longer require the personnel commission to certify the top applicants to such positions if there are insufficient applicants who meet the special requirements and would instead authorize provisional appointments to such positions as specified, and require another examination to be given.

This bill would make a related technical change. February 17.  
**Education—Watch†**

**AB 826—Cline (Rev. & Tax.)**—Under existing law, no income tax deduction is allowed for nonbusiness expenses paid or incurred by the taxpayer to enable the children of such taxpayer to attend a college or university in California.

This bill would allow a taxpayer who itemizes deductions in computing personal income taxes to deduct one-half of any education tuition, supply, or other instruction costs required to be paid by reason of the full-time attendance of the taxpayer's child at the California Maritime Academy, at a public college or university in California, or at a private institution of collegiate grade which is accredited by the Western Association of Schools and Colleges.

This bill would take effect immediately as a tax levy, but its operative date will depend upon the time at which it becomes effective. February 17.  
**Taxation—Watch**

**AB 830—Montoya (Ed.)**—The law currently allows school certificated employees to annually use up to six days of accumulated sick leave "in cases of personal necessity" and requires school district rules to prescribe the manner of proof of personal necessity.

This bill would delete provisions denoting such leave as one of "personal necessity," and would specify that a certificated employee may annually use up to six days of accumulated sick leave in situations requiring "the immediate attention of the employee" during working hours. The bill requires school district rules to prescribe procedures for establishing compliance with the statutory conditions for such leave. February 17.  
**Education—Watch†**

**AB 831—Siegler (Fin., Ins., & Com.)**—The existing law specifies that an unemployed individual is eligible to receive unemployment compensation benefits with respect to any week only if, among other things, he was able to work and available for work that week.

This bill would provide that an unemployed individual otherwise eligible for unemployment compensation benefits shall not be deemed ineligible due to not being able to work and available for work for that week, if he is a student enrolled in a course of education approved for veterans training, and is available for employment during out-of-class time under the same terms and conditions as his last employment while a student.

This bill would also appropriate an unspecified amount to the State Controller for allocation and disbursement to local agencies for costs incurred by the pursuant to this bill. February 17.

**Unemployment Insurance—Watch**

**AB 832—Boatwright (Rev. & Tax.)**—Existing California Sales and Use Tax Law imposes a state sales or use tax on the sale or use of tangible personal property in the state, unless such sale or use is ex-

empted from such tax. Certain sales in bulk of monetized bullion are exempted from such taxes.

Moreover, counties, cities, and the San Francisco Bay Area Rapid Transit District are authorized to impose local sales and use taxes in conformity with the state's taxes. Exemptions from state sales and use taxes enacted by the Legislature are automatically incorporated into the local taxes.

Section 2230 of the Revenue and Taxation Code provides that the state will reimburse counties and cities, but not the San Francisco Bay Area Rapid Transit District, for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would repeal such exemption of sales in bulk of monetized bullion.

This bill would take effect immediately as a tax levy. February 17.  
**Taxation—Watch**

**AB 838—Mobley (Res. & L.U.)**—The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on any project they propose to carry out or approve.

The Z'berg-Nejedly Forest Practice Act of 1973 provides, among other things, for the governmental review of timber harvesting plans and for the issuance of timber operator permits.

This bill would exempt any activity authorized or required by the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 pertaining to timber harvesting plans or timber operator permits from the provisions of the Environmental Quality Act of 1970. February 17.  
**Miscellaneous—Watch†**

**AB 840—Papan (Fin., Ins., & Com.)**—(1) Existing law specifically permits lenders who finance the purchase of real or personal property, or loan money on the security thereof, to recommend to borrowers or potential borrowers the placing of insurance with a specified insurer or through a specified insurance agent or broker, so long as any recommendation with respect to the sale of real property or a loan on the security thereof meets designated criteria.

This bill would, instead, prohibit any lender in the business of financing the purchase of real or personal property or lending money on the security thereof, and other designated persons connected with such lender, from recommending to any borrower, saver, or prospective borrower, the placing of insurance with a particular insurer or through a particular agent or broker.

(2) Existing law permits such lenders to charge the accounts of borrowers or purchasers for the costs of insurance furnished by the lender upon the failure of the borrower or purchaser to furnish such insurance.

This bill would allow lenders to make such charges against the accounts of borrowers or lenders only after the insurance becomes effective. February 17.  
**Consumers—Watch**

**AB 846—Antonovich (Trans.)**—Existing law provides that every public, quasi-public or public service corporation, and every entity of local government, in awarding contracts for equipment or structures, must require that all rapid transit equipment or structures be so built that a handicapped person has ready access to, from, and in such equipment and structures, except that contracts incidental to the operation of an urban transit system are exempt from such provision.

This bill would repeal such provisions of existing law and instead would provide that every public, quasi-public or public service corporation, and every entity of local government, in awarding contracts for equipment or structures must require that all rapid transit equipment or structures be built so that both a handicapped person and an elderly person has ready access to, from, and in such equipment and structures. This bill would also contain no exception for contracts incidental to the operation of an urban transit system.

In addition, the bill would establish in the state government the Commission on Public Transportation for the Handicapped and Elderly, with specified membership and terms. The commission would generally have the following duties with respect to the handicapped and elderly: conducting an ongoing educational and informational program to make the public aware of transportation needs of the handicapped and elderly, hearing complaints, considering construc-



## ASSEMBLY BILLS (Cont'd)

tive ideas, making recommendations to the Legislature, undertaking studies, serving as an information center, reviewing transit authority blueprints, and checking transit authority plans.

Transit authorities would be required under this bill, pursuant to review by the commission, to designate a reasonable amount of state and federal funds for designing and planning full accessibility of transit facilities, and physical and rolling stock, to accommodate the handicapped and elderly.

The bill would appropriate \$54,000 to the commission for expenses of members of the commission, and salaries of an executive secretary and other professional or clerical staff. It would further provide that no appropriation is made nor obligation created for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by this bill. February 18.

Miscellaneous—Good

**AB 849—Nimmo (P.E. & Ret.)**—Existing law requires that under certain conditions the state provide an allowance to state employees for replacement of uniforms in an amount not to exceed \$150 per year. This bill would increase such allowance to \$200 per year. February 18.

Public Employees—Good

**AB 853—Carpenter (Rev. & Tax.)**—Under existing Personal Income Tax Law, gain from the sale of a taxpayer's old residence is only recognized to the extent that the adjusted sale price of the old residence exceeds the taxpayer's cost of purchasing the new residence for purposes of computing income taxes, if a new residence is purchased by the taxpayer within a year's period following the date of such sale.

Pursuant to this bill, the gain from the sale of a taxpayer's old residence would not be recognized if the proceeds of such sale are invested in time certificates of deposits of unspecified duration within one year from the receipt of such proceeds by the taxpayer.

Further, gain from such sale would be recognized upon removal of the proceeds of such sale from investment in time certificates of deposit, unless, within a one-year period from the receipt of the proceeds of the sale of the old residence, excluding from such period the time during which such proceeds are so invested, such proceeds are used by the taxpayer for the purchase of a new residence.

If such proceeds are used by the taxpayer for the purchase of a new residence within the authorized time, then gain from the sale of the old residence would be recognized only to the extent that the taxpayer's adjusted sales price of the old residence exceeded the taxpayer's cost of purchasing the new residence.

This bill would apply in the computation of taxes for taxable years beginning after December 31, 1975. February 18.

Taxation—Watch

**AB 857—Papan (Trans.)**—Present law does not require that the Public Utilities Commission consider the effect upon public transit systems on transportation planning of rates for passenger transportation services of a railroad or passenger stage corporation.

This bill would require the commission, in setting passenger transportation rates for railroads and passenger stage corporations, to consider the effect of such rates on the acceptance of such services by the public and how such public acceptance will affect public transit systems as proposed in regional transportation plans. February 18.

Consumers—Good

**AB 860—Egeland (Ed.)**—Existing statutes confer upon the University of California exclusive jurisdiction in public higher education over graduate instruction in the profession of medicine and prohibit community colleges from offering instruction beyond the second year of college.

This bill would, as an exception to such existing statutes, require any community college district, upon written request of 25 or more of its residents who are graduates of foreign medical schools, to

provide a refresher course in a course of study prescribed by the Board of Medical Examiners.

This bill would also appropriate an unspecified amount to the State Controller for allocation and disbursement to local agencies for costs incurred by them pursuant to this act. February 18.

Education—Watch

## ASSEMBLY CONSTITUTIONAL AMENDMENTS

**ACA 40—Keene (Elec. & Reap.)**—The present provisions of the California Constitution are placed in various articles.

The measure would effect a partial revision of the California Constitution by deleting, transferring, and consolidating provisions from certain articles and reinserting them with nonsubstantive changes in the same or different articles. February 24.

Labor Unions—Watch

**ACA 41—Priolo (Res. & L.U.)**—Under Article XXVI of the California Constitution, state-imposed motor vehicle tax revenues (i.e., gas tax, diesel fuel tax, registration fees, weight fees, and driver's license fees) may only be used for public highway purposes and for exclusive public mass transit guideway purposes. With respect to state-imposed fees on motor vehicles and their operation (i.e., registration fees, weight fees, and driver's license fees), such fees, under the article, may also be used for the administration and enforcement of laws relating to the use of vehicles on public highways and for the mitigation of the environmental effects of motor vehicles operation due to air and sound emissions.

This measure would authorize any real property acquired by the expenditure of such tax revenues by other than the state for the above presently authorized purposes, but no longer required for such purposes, to be used for local public park and recreational purposes. February 25.

State and Local Government—Watch

**ACA 42—Z'berg (Res. & L.U.)**—Existing constitutional provisions govern the use of water. Existing constitutional provisions also govern the sale of tidelands, the condemnation of frontages on navigable waters, and public access to navigable water, including declaring that the right of eminent domain exists in the state as to all frontages on navigable waters of the state and generally prohibiting the sale to private persons or corporations of tidelands located within 2 miles of any incorporated city or county and county and fronting on waters of a harbor, bay, inlet, or estuary. No existing constitutional provisions contain a general declaration of state policy with respect to protection of the environment.

This measure would effect a partial revision of the State Constitution by transferring, consolidating, and revising provisions relating to the use of waters and to tidelands and navigable waters.

The measure would delete provisions declaring that the right of eminent domain exists in the state as to all frontages on navigable waters of the state.

The measure would extend the prohibition on the sale of tidelands fronting on harbor, bay, inlet or estuary to include all such tidelands, rather than only those within 2 miles of any incorporated city or county.

The measure would further declare that it is the policy of the state and a statewide concern to develop and maintain an environment of high quality and to assure specified environmental conditions. The measure would authorize local governmental agencies to enact measures not in conflict with state law to achieve these objectives, and specify that implementing legislation enacted by the Legislature may be made applicable to state agencies having constitutional powers. February 25.

Miscellaneous—Watch

**ACA 43—Hayden (Elec. & Reap.)**—The office of the Attorney General, under the present Constitution, is not a nonpartisan office.

This measure would require that the office of the Attorney General be a nonpartisan office. February 27.

State & Local Government—Watch



## SENATE BILLS

**SB 444—Robbins (Ed.)**—The California Postsecondary Education Commission is presently composed of 23 members representing various segments of public and private postsecondary education, and the general public.

This bill would increase the commission's membership to 25, by providing for 2 additional members who are representatives of adult education programs from California high school or unified school districts, to be appointed by the Governor for 3-year terms.

The bill would make a technical change to clarify that the provision for staggered terms of appointive members applies only to those members appointed as representatives of the general public. February 19. Education—Watch†

**SB 445—Dunlap (Ed.)**—Existing statutes authorize school districts to initiate and carry on any educational program as defined, which is not in conflict with law or the purposes for which school districts are established. Existing statutes, however, do not specifically address themselves to alternative schools.

This bill would define alternative schools, declare the purposes thereof, and authorize the governing board of any school district to establish and maintain such schools.

This bill would specify that no more than 10 percent of the average daily attendance of each school district may be enrolled in alternative schools and would require any alternative school to be maintained and funded by the school district at the same level of support as other educational programs for children of the same age level operated by the district.

This bill would require a specified notice regarding the alternative schools to be given to the parents and guardians.

This bill would require that teachers and pupils be selected from volunteers, and would prohibit racial or ethnic discrimination in the operation of alternative schools.

This bill would permit the Superintendent of Public Instruction to waive provisions of Education Code, other than those relating to earthquake safety, in the operation of alternative schools and would require the superintendent to make specified reports to the Legislature re alternative schools.

This bill would require the Department of Education to institute a program to evaluate alternative schools.

This bill would authorize school districts to provide for the transportation of pupils to alternative schools or to reimburse parents or guardians for the actual costs of transportation provided or paid for by them.

This bill would become operative on July 1, 1976, and would cease to be operative on July 1, 1980.

This bill would also provide that neither an appropriation is made nor an obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this bill. February 19.

Education—Watch†

**SB 459—Rodda (Ed.)**—Existing law provides that any nonacademic employee of the state university and colleges who is promoted before completing the probationary period in a lower class shall earn permanent status in the lower class at the end of one year from the original appointment date in the lower class or shall earn credit toward permanent status in the lower class for the period of time he performed satisfactorily in the lower class, provided the duties in higher class are similar to the duties in the lower class.

This bill would (1) delete the alternative of earning credit toward permanent status in the lower class for the period of time he performed satisfactorily in the lower class, (2) require that the duties of the two classes are substantially similar, and (3) require that the employee's performance in both classes has been satisfactory. February 19. Education—Watch†

**SB 463—Ayala (I.R.)**—The existing law prohibits an employer from taking any part of a gratuity left for an employee for a patron, except as permitted by regulations of the Industrial Welfare Commission, provided that a notice is placed in the employer's business stating the extent to which employees are required to accept and

credit gratuities against wages.

This bill would repeal the exceptions to the prohibition against an employer taking any part of a gratuity left for an employee by a patron.

The existing law requires an employer to keep records of all gratuities received by him, which shall be open to inspection by the Department of Industrial Relations.

This bill would instead require the employer to keep records of all gratuities received by him for employees, and records of how, when and to which employees they were distributed.

This bill would also add provisions relating to group sales, as defined, which would:

(1) require all group sales to be by written contract, with the gratuity separately stated if it is included, and if included but not stated, the gratuity would be conclusively presumed to be 15% of the price agreed upon.

(2) Require the employer to post a specified notice where it can be easily seen by patrons, if the gratuity is not included in the contract, stating that gratuity is not included in the price of such group sale event, and if such notice is not posted, the gratuity is conclusively presumed to be 15% of the price agreed upon.

(3) Require that the employee be advised in writing, at the time of being hired to perform services at a group sales event, of the nature of the contract, the extent of the gratuity, and the formula for division of such gratuity.

(4) Prohibit an employer from participating in gratuities from a group sales contract. February 20. Labor Code—Good

**SB 468—Dills (Rev. & Tax.)**—Existing law does not permit exclusion from gross income for income and corporation tax purposes for amounts received from the sale of equipment used for the production or utilization of solar energy.

This bill would exclude income received from the sale of such equipment from gross income for corporation and personal income tax purposes.

The bill would also provide that such exclusions shall be repealed on January 1, 1986.

This bill would take effect immediately as an urgency measure, but its operative effect will depend upon its effective date. February 20. Taxation—Watch

**SB 471—Rodda (Ed.)**—Periodically the Legislature has proposed, and submitted to the people for approval, the issuance of state bonds for funding capital outlay expenditures for various purposes, including facilities for public higher education.

This act, to be known as the Higher Education Construction Program Bond Act of 1976, proposes the issuance and redemption of state general obligation bonds in the amount of \$50,000,000 to provide funds to meet the major building construction, equipment and land acquisition needs of the California State University and Colleges and the University of California over a period of four years commencing with the 1975-76 fiscal year.

The initial proceeds of such bonds would be used to repay loans and advances which may have been made from other specified funds for such purposes. Thereafter, the proceeds of such bonds could only be expended pursuant to appropriations made by the Legislature.

This act would appropriate from the General Fund: (1) an amount necessary to pay the annual principal and interest due on bonds which have been sold pursuant to this act, and (2) amounts annually allocated to the California State University and Colleges and the University of California for expenditure for the purposes of this act, but not to exceed the amount of unsold bonds.

This act calls a special statewide election, to be consolidated with the 1976 primary election, for submission of the proposed bond act to the people. The provisions calling an election would take effect immediately, and the proposed bond act would become effective upon being approved by the people at such statewide election. February 20. Education—Watch†



## SENATE BILLS (Cont'd)

**SB 473—Robbins (I. & F. I.)**—Existing law specifies that, subject to an exception applicable to loans secured by deeds of trust or mortgages given back to the seller by the purchaser, any indebtedness of \$100,000 or less on any secured note or deed of trust or mortgage or other lien on real property executed after January 1, 1975, may be prepaid in whole or in part.

This bill would make the authorization of prepayment at any time by the borrower applicable to any note or evidence of indebtedness secured by a deed of trust or mortgage or other lien on real property containing four or fewer residential units or on which four or fewer residential units are to be constructed. This bill would eliminate the application of such prepayment authorization only to an indebtedness of \$100,000 or less.

Existing law provides that nothing shall prevent a borrower from obligating himself to pay a prepayment charge by an agreement in writing.

This bill would provide that nothing shall prevent a borrower from obligating himself, by an agreement in writing, to pay a prepayment charge, if the prepayment is made within five years of the date of the execution of the note and the prepayment charge does not exceed specified limits.

This bill would provide that the changes made in existing law by the bill shall be to loans secured by deeds of trust or mortgages executed after January 1, 1976. February 20.

**Consumers—Watch**

**SB 476—Collier (N. R. & W.)**—The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on any project they propose to carry out or approve.

The Z'berg-Nejedly Forest Practice Act of 1973 provides, among other things, for the preparation and governmental review of timber harvesting plans.

This bill would exempt the preparation, review, acceptance, or approval of timber harvesting plans and amended plans from the provisions of the Environmental Quality Act of 1970.

The Legislature would, by the bill, make findings and declarations.

The bill would take effect immediately as an urgency statute. February 24.

**Miscellaneous—Watch†**

**SB 477—Collier (N. R. & W.)**—The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on any project they propose to carry out or approve.

The Z'berg-Nejedly Forest Practice Act of 1973 provides, among other things, for the preparation and governmental review of timber harvesting plans.

This bill would exempt the preparation, review, acceptance, or approval of timber harvesting plans and amended plans from the provisions of the Environmental Quality Act of 1970.

The Legislature would, by the bill, make findings and declarations.

The bill would take effect immediately as an urgency statute. February 24.

**Miscellaneous—Watch†**

**SB 478—Smith (E. & R.)**—Various existing provisions of the Elections Code provide for the incumbent to appear first in the list of candidates on the ballot, although such provisions have been superseded by Section 89000 of the Government Code, added by the Political Reform Act of 1974, which prohibits the practice. This bill would conform such Elections Code provisions to Section 89000 of the Government Code.

Existing law authorizes a city council to fill a vacancy in an elective city office by appointment. This bill would allow a city council to fill such a vacancy either by appointment or by calling a special election to fill the vacancy.

Existing law authorizes a city council to enact an ordinance providing that an appointee to fill a vacancy on the city council holds office only until the next regularly scheduled election for city council members, whereupon a special election is held to fill the remainder of the term. This bill would revise such authorization to

refer to the next regularly scheduled election to be held throughout the city.

Existing law does not provide specifically for the consolidation of special elections to fill the full term for a vacancy in an elective city office. This bill would authorize consolidation of such a special election with the next regularly scheduled election to be held throughout the city, if held within 180 days of the call of the special election. February 24.

**Elections—Watch**

**SB 479—Dunlap (Ed.)**—Existing statutes require the governing board for each school district, except community college districts, to develop and adopt specific certificated personnel evaluation and assessment guidelines which are required to include specified elements.

This bill would delete that statute and, instead, add a provision requiring the governing board of each school district, except community college districts, to adopt, in consultation with the faculty, rules and regulations establishing specific procedures for evaluation of certificated employees on an individual basis and setting forth reasonable but specific standards for their performance and requiring such procedures and standards to apply to all certificated employees of the district, with specified exceptions.

This bill would become operative on July 1, 1976.

This bill would also provide that neither appropriation is made nor obligation created for the reimbursement of any local agency for any costs incurred by it pursuant to this act. February 24.

**Education—Watch†**

**SB 480—Behr (Ed.)**—(1) Under existing law, the governing board of any school district or county superintendent of schools may provide programs for mentally gifted pupils enrolled in kindergarten through grade 12 in the schools of the district.

This bill would delete provisions that authorize programs for mentally gifted pupils and would instead establish new programs for gifted individuals, as defined.

This bill would specify the content of such programs and would prescribe the powers and duties of certain public offices with respect to such programs. In addition, this bill would require programs for gifted individuals to be approved by the Superintendent of Public Instruction.

This bill would specify an allowance of \$100 per school year to be made for each pupil participating in the program and \$50 per pupil for identification of gifted individuals.

This bill would provide for demonstration programs for gifted individuals, as specified.

This bill would permit the waiver of Education Code provisions by the State Board of Education if such waiver is necessary to establish appropriate learning opportunities for gifted individuals.

(2) Existing law apportions \$2.73 from Section A of the State School Fund per unit of statewide a.d.a. for expenditure for programs for mentally gifted pupils.

This bill would provide instead an apportionment of \$3.73 for expenditure for gifted individual programs and would increase the maximum amount to be transferred from the General Fund to Section A of State School Fund by \$1 per unit of statewide a.d.a.

This bill would in addition appropriate \$590,000 from the General Fund to the Department of Education for the administration of the programs specified by this bill and for in-service training and demonstration programs for the 1975-76 and 1976-77 fiscal years. February 24.

**Education—Watch†**

**SB 484—Gregorio (G. O.)**—(1) The existing law provides for the existence of a California Arts Commission in the state government, consisting of 15 members appointed by the Governor with the consent of the Senate.

This bill would abolish the present California Arts Commission and create a California Arts Development Council consisting of 15 members meeting specified qualifications and appointed by the Governor.



## SENATE BILLS (Cont'd)

(2) The existing law specifies the duties of the commission. The duties include: assisting and supporting public and private institutions and communities within the state engaged in the visual and performing arts and community services in originating, creating and maintaining cultural and artistic programs, conducting surveys for specified purposes and submitting an annual report to the Governor and Legislature containing specified information. To carry out its duties the commission is vested with specified powers and authority including the power to: adopt rules and regulations in accordance with the Administrative Procedure Act, to hold hearings, appoint advisory committees, to accept federal funds, accept gifts, donations, bequests and grants of funds from private and public agencies, and to grant funds for programs and projects for the purpose of promoting and supporting the arts.

This bill would specify similar powers to be exercised by the council and with respect to functions would provide that the council shall, among other things: be responsible for implementation of the policy of the chapter, act as ombudsman for artists and arts organizations in the state, recommend appropriate legislation to the Governor and Legislature to implement the policy of this chapter and submit an annual report describing council programs and expenditure to the Legislature and Governor no later than September 30.

In addition, this bill would expressly provide that the council shall not have the power or authority to accept, for any purpose, bequests, gifts, donations, or grants, except from the federal government; to make any grants to arts organizations or act as a conduit for any federal funds to any arts organization where more than 50% of the funds for the particular project are received from the federal and state governments, or to make any grants to individuals except as provided for specifically in the programs established pursuant to this chapter; or to establish or fund any program or project except as authorized pursuant to this chapter.

(3) The existing law makes no express provision for executive director of the California Arts Commission.

This bill would provide for an executive director of the California Arts Council, appointed by the council and to receive an annual salary of \$34,000.

(4) The existing law does not establish specified programs for development of the arts and the distribution of available funds.

This bill would create a number of specific programs for the achievement of the purposes of the chapter and the distribution of funds. These programs would consist of: the Artists-in-Education Program, the Arts Touring Program, the Audience Development Program, the Project Funding Program, the Commission to Artists Program, the Technical Assistance Program.

This bill would appropriate \$3,250,000 to the California Arts Development Council, subject to certain conditions, to be expended as follows: \$1,000,000 for use without regard to fiscal year for the purposes of the Artists-in-Education Program, \$300,000 for use from January 1976 through June 1977 for the purposes of the Audience Development Program, \$750,000 for use from January 1976 through June 1977 for the purposes of the Arts Touring Program, \$800,000 for use from January 1976 through June 1977 for the Project Funding Program, \$50,000 for use from January 1976 through June 1977 for the Technical Assistance Program, \$750,000 for use during the period from January 1976 through June 1977 for the Commissions-to-Artists Program, and no more than \$600,000 for use during the period from January 1976 through June 1977, to defray the administrative costs incurred by the council, its staff and powers, in administering programs established pursuant to this bill. February 25.

Miscellaneous—Watch

**SB 485—Dunlap (L. Gov.)**—(1) Existing law permits the legislative body of any public or municipal corporation or district to contract with and employ persons who furnish certain services and advice.

This bill would specifically prohibit such legislative bodies from contracting with construction managers on public work projects, except in those projects where planning and engineering of a project make it impractical to let a general construction contract.

(2) Existing law permits such legislative bodies to pay from any

available funds compensation to such persons as it deems proper for services rendered.

This bill would specify that such payment not contravene the prohibition against splitting work orders to avoid competitive bidding. February 25.

Miscellaneous—Watch

**SB 493—Garcia (Ed.)**—Under existing law, there is no requirement that each school district hire a bilingual office employee whose principal function is to communicate with parents or guardians of students who speak a primary language other than English.

This bill would require the governing board of any school district in which at least 20% of the pupils enrolled in any school under its jurisdiction speak a primary language other than English, to employ in each administrative office of the district a bilingual community liaison person who is fluent in both English and the primary language spoken by such students. In addition, this bill would prescribe the duties and recruitment procedures of such employees.

This bill provides that neither appropriation is made nor obligation created for the reimbursement of any local agency or school district for any costs incurred by it pursuant to the bill. February 25.

Education—Watch

**SB 497—Marks (I. R.)**—Existing law provides that the determination of whether or not a person is eligible for receipt of unemployment compensation disability benefits, and the amount of such benefits, depends upon the amount of wages paid to the person in covered employment during his "disability base period." The disability base period, if an individual does not have an unexpired unemployment compensation benefit year, is, very generally, the four calendar quarters ending six months prior to the quarter in which the person's benefit year began. Periods of unemployment during the disability base period, from whatever cause other than physical disability, do not extend the person's disability base period.

This bill would extend the disability base period by one quarter for each quarter of the person's normal disability base period during which he performed no services in covered employment for 60 or more days as a result of a trade dispute. February 26.

Disability Insurance—Watch

**SB 499—Zenovich (Rls.)**—Under existing law, the state agency which generally administers the workers' compensation law is the Workmen's Compensation Appeals Board.

This bill would rename such agency the Workers' Compensation Appeals Board. February 26.

Workers' Compensation—Watch

**SB 500—Zenovich (Rls.)**—Under existing law, the state agency which generally administers the workers' compensation law is the Workmen's Compensation Appeals Board.

This bill would rename such agency the Workers' Compensation Appeals Board. February 26.

Workers' Compensation—Watch

**SB 501—Zenovich (Rls.)**—Under existing law, the state agency which generally administers the workers' compensation law is the Workmen's Compensation Appeals Board.

This bill would rename such agency the Workers' Compensation Appeals Board. February 26.

Workers' Compensation—Watch

**SB 502—Berryhill (G.O.)**—The Environmental Quality Act of 1970 requires public agencies to prepare an environmental impact report on any project they propose to carry out or approve.

This bill would delete such provisions.

The bill would take effect immediately as an urgency statute. February 26.

Environment—Watch

**SB 503—Petris (Rev. & Tax.)**—Under existing law, an excise tax is imposed on all beer, wine, and distilled spirits sold in this state and on beer, wine, and distilled spirits sold by manufacturers, rectifiers, or wholesalers, or sellers of such with respect to which no tax has been paid within areas over which the federal government exercises jurisdictions at rates based upon various formulas calculated according to volume and weight.



## SENATE BILLS (Cont'd)

Such existing law exempts from such excise tax that beer which has been sold by licensed beer manufacturers or beer wholesalers to instrumentalities of the armed forces of the United States which are located within the geographical boundaries of the state.

This bill would repeal such exemption.

This bill would take effect immediately as a tax levy. February 26.

**Taxation—Watch**

**SB 507—Petris (B. & P.)**—Under existing law, it is unlawful for a seller to falsely represent by advertisement the quantity of any article advertised that will be sold to any customer and willfully or negligently to fail to include in such advertisement a statement that any restriction that is in fact put upon the quantity of any article so advertised that is sold or offered for sale to any one customer on his demand in a single transaction.

This bill requires a seller of an article advertised for sale which has become unavailable to issue upon a customer's demand a raincheck, as defined and containing specified information, to enable the customer to buy the unavailable article at the sale price for a period not less than 90 days from the issuance thereof. The bill also requires notices to be posted in such seller's premises indicating the availability of rainchecks and the effect thereof. February 27.

**Consumers—Watch**

**SB 512—Robbins (Rev. & Tax.)**—Under existing law, the state imposes sales and use taxes at the rate of 4¾%, and counties are authorized to impose such taxes at the rate of 1¼% and cities at the rate of 1% or less under the Bradley-Burns Uniform Local Sales and Use Tax Law. The San Francisco Bay Area Rapid Transit District is also

authorized to impose sales and use taxes at the rate of one-half of 1%. The ordinances imposing sales and use taxes by counties, cities, and the San Francisco Bay Area Rapid Transit District are required to contain a provision automatically incorporating all amendments to the state's Sales and Use Tax Law into the local sales and use tax ordinances.

Section 2230 of the Revenue and Taxation Code presently provides that the state will annually reimburse counties and cities, but not the San Francisco Bay Area Rapid Transit District, for net revenue losses caused by sales or use tax exemptions enacted after January 1, 1973, and provides that a bill authorizing such an exemption shall include an appropriation to compensate for such losses in the first fiscal year, as estimated by the Director of Finance.

This bill would exempt from sales and use taxes the gross receipts from the sale or lease of, and the storage, use, or other consumption of, master tapes or master records embodying sound, as defined.

The bill would also provide that there will be no appropriations pursuant to Section 2230 of the Revenue and Taxation Code because counties and cities will not suffer a net loss of sales and use tax revenues by reason of the enactment.

The bill would take effect immediately as a tax levy and would become operative on the first day of the first calendar quarter commencing more than 60 days after the effective date of the enactment. February 27.

**Taxation—Watch**

## SENATE CONSTITUTIONAL AMENDMENTS

### 1975-76 First Extraordinary Session SENATE BILL

**SB 4—Gregorio (L. Gov.)**—Under present law there is no state agency empowered to insure loans for financing rehabilitation of residential or commercial structures, for refinancing in connection with rehabilitation, or for mortgage financing. However, cities, counties, housing authorities, and redevelopment agencies are authorized to make loans for residential rehabilitation under the Marks-Foran Residential Rehabilitation Act of 1973.

This bill would require the Commission of Housing and Community Development to contract with either the Department of Housing and Community Development or the Department of Veterans Affairs for the establishment and maintenance of a loan insurance program to insure loans made by approved lenders in areas meeting prescribed eligibility criteria for rehabilitation, refinancing in connection with rehabilitation, or acquisition of residential structures, mixed residential and commercial structures, and commercial structures which are determined to be an integral part of a residential neighborhood. This bill would also authorize the commission to insure revenue bonds issued pursuant to the Marks-Foran Residential Rehabilitation Act of 1973.

The bill would require the commission to appoint an advisory committee with prescribed membership to assist it in preparing regulations for the implementation and administration of the program.

The bill would create a Housing Rehabilitation Insurance Fund, which would be continuously appropriated to the commission for the purpose of insuring loans and bonds and to defray costs of administering such program. The bill would specify that the obligation of the state under contracts of insurance would be limited to moneys in the fund made available therefor under the respective contracts of insurance.

The bill would appropriate \$5,000,000 from the General Fund for transfer to the Housing Rehabilitation Insurance Fund. February 20.

**Housing—Watch**

**SCA 22—Marks (Rev. & Tax.)**—There is no existing property tax exemption granted for improvements to residential real property. The homeowners' exemption, however, exempts \$7,000 of full value of owner-occupied dwellings.

This measure would authorize the Legislature to provide for the exemption of improvements to existing owner-occupied residential property in an amount equal to the value added to the dwelling by the improvement, up to \$12,000. The exemption would be for a five-year period following the improvement and would only apply as an offset against any increase in assessment. The exemption would only apply to the owner of the dwelling who must have occupied the dwelling for at least 6 months prior to the time the improvements were made. The measure would further limit such exemption to one per dwelling in any five-year period.

The measure would require the state to reimburse each local government for any lost revenue, including any expenses of administration, because of the exemption. February 25.

**Taxation—Watch**

**SCA 23—Song (Jud.)**—The Constitution presently provides for a Commission on Judicial Appointments and requires that the commission confirm appointments by the Governor to fill vacancies on the Supreme Court or courts of appeal as well as gubernatorial nominees to those courts in the event an incumbent judge fails to file a declaration of succession.

This measure would eliminate the Commission on Judicial Appointments and require the Governor's appointments and nominations to the Supreme Court and courts of appeal to be confirmed by the Senate within 6 months of the date of such appointment or nomination. February 26.

**State and Local Government—Watch**

## SENATE JOINT RESOLUTION

**SJR 12—Zenovich (Rls.)**—This measure would request Congress to enact legislation exempting from the California usury limitation all mortgages or deeds of trust insured or guaranteed by the federal government or a mortgage intended for delivery to the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Loan Bank or any other state or federal instrumentality. February 26.

**Miscellaneous—Bad**