

An aerial, black and white photograph of a wide city street, likely in Sacramento, California. The street is filled with a large crowd of people, possibly a parade or a large gathering. Tall, multi-story buildings line both sides of the street. On the left, a building has a sign that reads "NATIONAL BANK". The overall scene is a historical representation of a busy urban center.

The Sacramento Story

Labor And The Legislature-1949

Issued by

CALIFORNIA STATE FEDERATION OF LABOR

C. J. HAGGERTY

Secretary and Legislative Representative

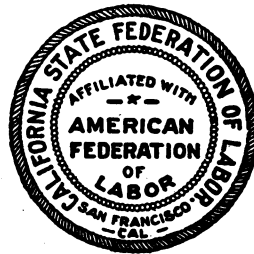
THE COVER: This photo of marching American Federation of Labor workers symbolizes the economic strength of organized labor. If this prestige would survive, then that economic stature must have its political counterpart. Because of this, the American Federation of Labor is in politics to stay. First goal: The 1950 elections!

LABOR LEGISLATION

REPORT ON 1949 REGULAR SESSION OF THE CALIFORNIA LEGISLATURE

January 3 to 29 and March 7 to July 2

1949



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CALIFORNIA STATE FEDERATION OF LABOR
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402 Flood Building - 870 Market Street - San Francisco - California

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REPORT ON LABOR LEGISLATION

1949 Regular Session, California Legislature

January 3-29 and March 7 to July 2, 1949

FOREWORD BY THE SECRETARY

The 1949 legislative session was one of the "toughest" on record, both because of the tremendous number of bills introduced and because of the strong opposition to labor's program from reactionary forces.

A record number of bills, in excess of five thousand, were introduced, and of these the Federation followed at least 1,800 on a broad variety of subjects. The Federation itself prepared and had introduced nearly one hundred bills, covering every subject of importance to our members, including social security legislation.

Despite the fact that this was the most difficult legislative session on record for labor, the Federation was able to secure favorable social legislation which will result in the payment of approximately \$20,000,000 annually to the workers of this state. This achievement was made possible through the cooperation of local unions throughout the state, and because of the effective showing which labor had made in the national and congressional elections in November, 1948.

MAJOR ACHIEVEMENTS

Anti-Labor Legislation

During the course of the session, the Federation was able to obtain the defeat of a large number of anti-labor bills, including such measures as the "hot cargo," right-to-work, and anti-featherbedding bills, and other bills aimed at weakening or destroying existing beneficial legislation. The "hot cargo" bill did pass the Senate, but its defeat in the Assembly Committee on Industrial Relations on April 28 was a major and important victory for the Federation, and considerably strengthened our hand in the ensuing months in the legislature. This is the first time the Federation has been able to defeat such a measure in the legislature; on previous occasions, in 1941 and again in 1947, the "hot cargo" bills reached the Governor.

Unemployment Disability Insurance

The most spectacular achievement of the legislative session occurred in this field when, five

days before the close of the session, the Federation was able to obtain consideration, and ultimate passage, of an amendment to the disability insurance law to provide for the payment of hospital benefits, amounting to \$8.00 a day, up to a maximum of 12 days, for the three million workers covered by the Act, beginning January 1, 1950. Over \$10,000,000 a year will be paid out in benefits under this program.

A public reporting of receipts, expenditures and profits of carriers of voluntary plans was not obtained during the legislative session, but will be obtained through administrative regulations to be issued by the Department of Employment; hearings on the matter will be held August 24, 1949.

Another important achievement in this field was the defeat of employer and private insurance carrier proposals to extend the scope of the so-called "voluntary" plans, to steal approximately \$16,000,000 annually from the unemployment disability reserves and to credit this amount to employer merit rating accounts so as to reduce employer taxes under unemployment insurance.

Unemployment Insurance

The Unemployment Insurance Act has now been amended to provide that a worker entitled to both unemployment and disability benefits in the same benefit year may receive the maximum of both. Prior to the passage of this legislation, a worker could receive only an amount equal to one and one-half times the maximum of either benefit. The Act was also amended to extend coverage to certain public employees, and

other improvements in benefits and in administration were made, as indicated in detail below.

The Federation was successful in defeating all major bad bills designed to weaken the unemployment insurance system. Efforts along this line were proposals to turn the system into a mere employment service which could be used by employers to force workers to take any job at any wage in any part of the state. Such legislative proposals were backed up with constant charges of fraud in payment of claims from the Senate Committee on Employment Stabilization. Employers, with the aid of the insurance carriers, also attempted to reduce their unemployment insurance taxes and thereby endanger the security of the system during a period of mounting unemployment.

Workmen's Compensation

As a result of a series of complex and technical amendments to the Workmen's Compensation Act, additional benefits amounting to as much as \$10,000,000 will be paid out to workers annually. In many of its features, the basic California Workmen's Compensation Act is now one of the most progressive and liberal in the country. All workers injured after the effective dates of the amendments will be entitled to full and consecutive payment for temporary, permanent, life pension and survivors' benefits.

Increases in certain types of benefits were also obtained, including an amendment to increase the death benefit for a widow with one or more children by 25 percent, up to the maximum amount of \$7,500. The maximum duration of permanent benefits in severely disabled cases was extended from the previous maximum of 240 weeks to 400 weeks. The law also now provides for the repair and replacement of all types of medical braces; this amendment also applies to eyeglasses damaged in connection with an accident causing over 7 days' disability. Numerous other improvements were also obtained as indicated below in the section on workmen's compensation.

Other Improvements

Many other laws beneficial to labor were enacted covering a wide range of subjects, including industrial safety, equal pay for women, and regulation of private employment agencies. It was due largely to Federation efforts that a

housing bill was brought out of committee and passed by the Assembly. Attempts to get favorable Senate committee action were, however, unavailing. The defeat of all the loyalty oath proposals sponsored by Senator Tenney was another important victory for liberal forces, as was the passage of legislation eliminating racial and religious discrimination in the state militia. Efforts to obtain a comprehensive fair employment practices commission or a commission to study and promote racial equality were supported by the Federation but died in committee in the Assembly.

In addition, the Federation was able to help several crafts, including the teamsters, the fishery workers, and the metal trades, in substantially improving the laws regulating their industries. For the teamsters, the Federation obtained major improvements in the Motor Vehicle Code so that chauffeurs can no longer have their licenses summarily suspended and will no longer be responsible for the deposit of security under the Financial Responsibility law, and protective legislation on other matters, including traffic signals, was obtained, while bad legislation was defeated.

The metal trades will gain substantial help for their industry through the amendment exempting from the sales tax ships and materials used in ship construction.

State employees, particularly in the building and printing trades, received substantial aid through the defeat of two bad measures which would have reduced their wages.

LEGISLATIVE PROBLEMS

The major difficulty which the Federation encountered was the violent opposition of the insurance carriers and the employers. These two groups, working in a combined lobby, helped each other in promoting anti-labor legislation and in opposing any beneficial legislation in behalf of workers in unemployment, disability or workmen's compensation legislation, and in other fields.

Under the disability insurance law the state plan, which covers about 60 percent of all employees at the present time, has been accruing an average annual profit of approximately \$25,000,000. The profits of the insurance carriers for the "voluntary" plans obviously have been of the same magnitude, and it was this group

of carriers which was particularly interested and active in organizing the insurance carrier and employer front against liberal labor legislation. In spite of this lobby, we were successful in obtaining many and substantial improvements through a clear and honest presentation of the merits of our proposals.

After witnessing the avaricious greed of these insurance carriers for greater and greater profits, all unions throughout the state would do well to confine the coverage of their members to the state plans. Any excess contributions paid into the state plan are clearly marked as such and will ultimately be paid out to the labor movement in the form of benefits. Excess contributions to the private carriers are unknown, are absorbed as profits, and will never be returned. It is imperative that the labor movement cease giving support to the carriers of the "voluntary" plans who are appearing year after year as our enemies in Sacramento. We cannot continue to build up this Frankenstein which threatens to destroy us through anti-labor legislation and which opposes every effort to liberalize the disability law.

An important factor in our success was the strength and power which labor had shown at the polls in November 1948. Another factor was the Senate Reapportionment Campaign (Proposition No. 13) conducted by the Federation, which appeared on the November 1948 ballot. While this initiative measure failed, the fact that a substantial portion of the voters were in favor of reapportionment jolted the state senators considerably and caused them to modify their actions from time to time.

The Senate committees constituted our major stumbling block in Sacramento. The committees were stacked against labor and either refused to consider, postponed indefinitely, or killed by ingenious methods many important labor bills, and as long as such bills remained bottled up in committee, the Senate as a whole evaded a roll call vote. Once we were able to bring an issue before the Senate as a whole, as in the case of the hospital benefits bill, we were reasonably successful.

It was in the Senate, and in the Senate committees particularly, that the attack on unemployment, disability and workmen's compensation laws was formulated and received most serious consideration. The combined employer and

insurance carrier attempt to rob the disability fund is a typical example.

Conversely, good legislation, such as the Federation bill to raise the maximum workmen's compensation benefit, passed the Assembly without amendment on March 28, 1949, early in the session, but died in Senate committee. A later amendment from the Senate floor to increase the maximum was defeated by a roll call vote on June 29.

While the majority of bad bills did not get Senate approval, the "hot cargo" bill did and was killed in Assembly committee. Two major bad bills directed against the unemployment system also passed the Senate, only to die in Assembly committee.

Senate action on generally popular measures, such as child care centers and oleomargarine, was only achieved under extreme pressure and with a backward look at the Senate Reapportionment campaign.

LABOR'S FRIENDS

Labor's friends and foes are indicated in the final pages of this report in the tabulation of roll call votes, but it must be remembered that this tabulation is inconclusive, since many legislators are violently opposed to, or avoid, important labor issues in committee, where their votes are not usually recorded, and then proceed to vote with labor on these same measures when they reach the floor and are subject to tabulation.

Furthermore, as has been noted in the Federation's previous legislative reports, the otherwise perfect or near-perfect records of several Senators and Assemblymen appear to be marred by absences. Let it be pointed out that in both houses the percentage of absenteeism is much lower among members at the top of the labor record than it is among those at the bottom. Liberal legislators were, almost without exception, conscientious in the performance of all duties, and it is a fair presumption that the great majority of absences recorded among them were caused by illness or by urgent legislative duties, such as committee hearings, which often cause members to miss roll calls. In addition, one of the legislators did not take office until the session was nearly half over, while another resigned several weeks before the close of the session. For all these reasons, loss of position in

the standings due to failure to vote should not be over-emphasized.

The Federation will prepare, at a later date, committee roll call votes, but even so it will not be possible to obtain a complete and accurate tabulation, since no official records are kept and since many committee decisions are made by voice vote.

We are grateful to the many legislators who voted with labor during the recent session.

I also wish to express my appreciation to the officers and staff of the Federation who assisted me so constantly in Sacramento. Legal Adviser Charles P. Scully and Vice-President Harry Finks were unflagging in their efforts throughout the entire session, and valuable assistance was also received from President Shelley and Vice-Presidents Max J. Osslo, Pat Somersset, Robert S. Ash, and Paul L. Reeves, who served as members of the Federation's Legislative Committee.

In addition, thanks are due the many members of organized labor who kept in touch with their representatives in Sacramento and wrote them concerning labor's needs and desires.

Our achievements in this past session have

been substantial. Never again, however, should labor be required to face the tremendous number of anti-labor bills and the active opposition of legislators acting solely in the interests of reactionary forces. Our successes in this session were due to the substantial showing which labor made in the 1948 elections, but this showing, while impressive, was not sufficient to give the liberal elements in this state a clear and certain majority even in the Assembly. It is therefore imperative that labor put forth an all-out effort in the 1950 elections, for if we fail in 1950, we shall be through in Sacramento and in Washington. Our political showing in 1948 was good, but that in 1950 must be better, if we are to overcome the tremendous opposition to all necessary and beneficial legislation and if we are to obtain for the workers of this state the full measure of social and labor legislation which their needs demand. Labor must therefore give its full and unstinting support to the California Labor League for Political Education, that we may show our full strength in 1950.

Fraternally submitted,

C. J. HAGGERTY.

SUMMARY AND REPORT ON LEGISLATION

ALCOHOLIC BEVERAGES

Bills introduced in this field were in the main designed to change the hours of sale in both on and off sale premises and to restrict the number of licenses and establishments. No major changes were effected during the course of the session, and the Federation did not take an active part in this type of legislation. The bills listed below are examples of the type of legislation introduced.

AB 813 (Burkhalter). Would have prohibited the sale of alcoholic beverages at horse racing tracks. Died in Assembly committee.

AB 1083 (Hahn et al). Would have repealed Section 38f of, and added Section 38f to the Alcoholic Beverage Control Act, limiting the number of licenses to be issued based on population. Died in Assembly committee.

AB 2446 (Fletcher). Would have provided for one on-sale general license per 1500 population. At present, one license is permitted per 1000 population. Died in Assembly committee.

AB 2455 (McMillan). Would have provided that off-sale and on-sale businesses must be conducted in separate establishments. Limited off-sales to between 8:00 a.m. and 8:00 p.m. Amended in Assembly merely to limit off-sales of liquor, except beer, to between the hours 8:00 a.m. and 8:00 p.m. on week days and 8:00 a.m. and midnight on Saturdays. Sales of beer and wine between 2:00 a.m. and 6:00 a.m. were prohibited. Died in Senate committee.

AB 2477 (Grant). Would have provided that no on-sale license may be transferred to a different location. Died in Assembly committee.

BARBERS AND COSMETOLOGISTS

Good Bills

AB 528 (Doyle and Hollibaugh). Would have provided that no barber shop or college shall be open for business on Sundays, or on holidays. This and its companion, **SB 840**, both died in their original committees.

AB 796 (Niehouse). Amends Section 7320 of the Business and Professions Code relating to cosmetology. Violation is a misdemeanor. Signed by the Governor, May 9, 1949, Chapter 191.

AB 797 (Niehouse). As finally amended and passed, exempts from the cosmetology licensing requirements employees in cosmetological work in the motion picture industry or other entertainment industries, as requested by the employees involved, on the basis that the working conditions of such employees are entirely different from those of cosmetologists in regular retail beauty parlors. Signed by the Governor, July 25, 1949, Chapter 1180.

AB 997 (Niehouse). Adds Section 7325 to the Business and Professions Code, to provide

that any person who practices cosmetology without a license is guilty of a misdemeanor. Signed by the Governor, May 23, 1949, Chapter 366.

CHILD CARE CENTERS

Good Bills

AB 40 (Anderson et al). Amends Sections 1500, 1501 and 1503 of the Welfare and Institutions Code to broaden the definition of "needy children." Signed by the Governor, July 14, 1949, Chapter 889. *AB 1138*

AB 707 (Geddes et al). As first presented, would have continued child care centers indefinitely and permit a school district to maintain and expand facilities for child care centers. In final form, and by Senate amendment, continues the centers until June 30, 1950, and declares such centers are primarily a matter of local concern. Appropriates \$5,848,500. Effective immediately. Signed by the Governor, June 30, 1949, Chapter 780. See also **AB 1138**.

AB 1138 (Conrad). Replaces the appropriation provisions of **AB 707** and appropriates the same amount with specific instructions on apportionment and to take effect immediately. Signed by the Governor, July 25, 1949, Chapter 1183.

CIVIL RIGHTS

The major development in the civil rights field was the changed procedure of the Senate Fact-Finding Committee on Un-American Activities. In the future the Committee will concentrate on genuine educational activities and thus be more effective. Bills to restrict the rights of various groups of persons through loyalty oaths were defeated in the Assembly and bills to reduce discrimination in employment also died in the Assembly.

Bills Marked * Were Sponsored by the Federation

Good Bills

AB 22 (Sherwin et al). This would have added Article 3.5, comprising Sections 11615 and 11616, to Chapter 1, Part 3, Division 2, of the Insurance Code, and amended Section 704 of the same Code, so that no admitted insurer, licensed to issue motor vehicle liability policies, could fail or refuse to accept an application for such insurance, or issue such insurance less favorable to the insured than in other comparable cases, except for reasons applicable alike to persons of every race or color. Race or color of itself could not constitute a condition or risk for which a higher rate premium or charge might be required of the insured for such insurance.

Damages of \$500 were provided for any insurer's agent in violation, plus a reasonable allowance for attorney's fees incurred in connection with the prosecution of the Act which might be recovered in an action at law brought for that purpose by the aggrieved person. Provided a stiffer penalty if there were repeated violation.

Passed the Assembly, but died in the Senate, as did **AB 948**, a similar measure.

***AB 264 (Thomas).** Would have added Sections 924 and 925 to the Labor Code making it unlawful to engage any alien who is subject to deportation under the United States Immigration laws to work in any branch of labor. Violation of same to be considered a misdemeanor, punishable by a fine. Died in Assembly committee.

AB 739 (Maloney and Niehouse). This was Governor Warren's bill to create a commission on political and economic equality to minimize racial prejudice and discrimination in political, economic and social fields through the use of publicity and education; \$60,000 was to be appropriated to the commission.

This mild measure died in the Assembly Committee on Governmental Efficiency and Economy

by a vote of 9 Republicans against reporting out to 5 Democrats for reporting out.

See also **AB 3027**, a stronger fair employment practices measure.

AB 807 (Rumford et al). Eliminates segregation and discrimination based on race or color in the state militia. Signed by the Governor, July 18, 1949, Chapter 948. ✓

AB 951 (Hawkins). Would have repealed the anti-alien land law of 1913 (Act 260) which limits the right of aliens not eligible for U. S. citizenship to own or rent land. (This law was directed particularly against Orientals.) Died in Assembly committee.

AB 3027 (George D. Collins et al). Provided for a Fair Employment Practices Commission and the prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin, or ancestry. Defined the functions, powers and duties of such a commission, as well as compensation.

Withdrawal from committee refused by Assembly, June 16, 1949. (Assembly roll calls Nos. 20, 21, 22.) See also **AB 739**.

ACR 95 (George D. Collins). Amended the joint rules of the Senate and Assembly relating to investigating committees to provide that witnesses may be accompanied by counsel, may make statements for the record following their requested testimony; provided that the record shall be available to each witness; made other provisions protecting the rights of witnesses before investigating committees. Died in Assembly committee.

Bad Bills

SB 130 (Tenney). Added Section 8275 to the Education Code, making it a misdemeanor, and providing for the speedy dismissal of any teacher teaching communism, nazism, fascism or any

other system or plan of government except the American system or plan. Modified in the Senate. Killed in Assembly committee.

SB 132 (Tenney et al). Amended Section 2601 and Section 2619 of the Elections Code to require that candidates take a loyalty oath. Withdrawal from committee refused by Assembly.

SB 280 (Tenney et al). Added Sections 1400 to 1406 to the Government Code to define communism and to require loyalty oaths of all state, county and municipal employees each year. Withdrawal from committee refused by Assembly.

SB 298 (Tenney et al). As amended, added to the Business and Professions Code to require loyalty oaths of all attorneys upon admission to practice in California. Died in Assembly committee.

SB 515 (Tenney et al). Would have added Section 1106 to the Labor Code to require loyalty oaths from national defense workers. Died in Assembly committee.

SB 516 (Tenney et al). Would have added Section 1018 to the Labor Code, giving a labor union the right to require any applicant for membership to take a loyalty oath, and permitting unions the right to refuse or expel applicants or members who refuse to take such oath. Died in Assembly committee.

SCA 13 (Tenney et al). Would have amended Section 9 of Article IX of the Constitution to require loyalty oaths of employees of the University of California. Died in Senate committee.

SCA 14 (Tenney et al). Would have amended Section 3 of Article XX to require loyalty oaths of members of the legislature and all executive and judicial officers. As last amended, required an oath of allegiance to the state and federal constitution, and repealed all other oaths. Died in Assembly committee.

CONSTRUCTION

Bills Marked * Were Sponsored by the Federation
Bills Marked • Were Sponsored by the
State Building Trades Council

Good Bills

***AB 922 (Gaffney and Berry).** Skeleton bill, adding Section 15000 to the Business and Professions Code to provide a "State Uniform Heating

and Piping Act." See **AB 1927**. Both died in Assembly committee at request of sponsor.

•AB 1927 (Gaffney et al). Added Sections 19900 to 19900.170 to the Health and Safety Code to constitute the Plumbing and Gas Code. Died in Assembly committee.

•AB 2543 (Berry and Gaffney). Would have amended Section 7026 of, added Section 7026a to, and amended Section 7044 of the Business and Professions Code, to exempt from the licensing requirements for contractors, a person repairing or building on his property only when such property is used by him for 9 months after completion. Died in Assembly committee.

•AB 2544 (Berry and Gaffney). Would have added Section 7044c to the Business and Professions Code to provide that when a person transfers property to another and that other makes improvements on the property and then transfers said property back to the original owner, said transfer shall be considered a sale. Died in Assembly committee.

Bad Bills

AB 3082 (Brady). Would have amended Section 7048 of the Business and Professions Code, to exempt from licensing requirements contractors working on projects costing less than \$1000. The present limit is \$100. Died in Assembly committee.

AB 3151 (Levering and Reagan). Would have repealed Sections 4100 to 4108 of the Government Code. These sections specify the method by which requests for bids are to be prepared, and assign the responsibility for fulfilling the contract to the contractor and the subcontractor, as the case may be. Died in Assembly committee.

SB 1607 (Johnson). Would have added Section 25456.5 to the Government Code, giving power to the board of supervisors to replace or repair structures by day labor should they find the work can be done for less than the lowest responsible bid. Died in Senate committee.

SB 1636 (Crittenden). Would have eliminated competitive bids on harbor and navigation work of less than \$3,000. Died in Senate committee.

ELECTIONS

SB 1659

The Federation opposed the calling of a special election in 1949 on the grounds that the status of the Old Age and Blind Security law and the need for additional school bonds should be considered at the 1950 general election when more voters would appear at the polls. The need for some additional funds for school construction is valid but has been used to get the Old Age and Blind Security repeal before the voters as soon as possible, and before the new standards and administration have had an opportunity to prove their effectiveness.

Bills Marked * Were Sponsored by the Federation

Good Bills

AB 1 (Anderson, Hawkins et al). Would have prohibited cross-filing. Withdrawal from committee refused by the Assembly, June 17, 1949. (Assembly roll call No. 25.) Similar measures **AB 661**, **AB 662** and ***AB 2800** all died in Assembly committee.

AB 228 (George D. Collins). Would have added Section 1513.5 to the Elections Code with regard to the order in which measures submitted to the electorate for voting shall be placed on the ballot. Died in Assembly committee.

AB 777 (Anderson et al). Provided for the revision of the State Constitution, including the election of delegates to a convention to be held in the summer or fall of 1950. Provided that the revised Constitution be submitted to the people on or before the general November election in 1952. Died in Assembly committee.

***AB 2800 (Anderson et al).** Would have prohibited cross-filing. See **AB 1**.

Bad Bills

AB 292 (Conrad and Sherwin). Would have added Section 1514.3 and Article 4 to Chapter 1 of Division 4 of the Elections Code, relating to elections and providing for an advisory vote at direct primary elections on measures to be submitted to the electors at the ensuing general elections, and for the showing of the approval or disapproval of political parties as to such

measures on the ballot and in the ballot pamphlet for such general elections. Died in Assembly committee.

AB 304 (Waters and Dolwig). Amended Sections 1402, 1404, and 11001 of the Elections Code relating to the form of initiative, referendum and recall petitions, so that there would be a signature across the top of each page, and all pages contained within a section would bear the same serial number. The signature pages of the petition would also include not only the residence and date of signing but the precinct number as well, and other regulations. Refused passage by the Assembly.

ACA 86 (Dolwig et al). Provided that an initiative measure proposed by the people must have signatures equivalent to 12 percent of the votes cast for all candidates for governor. At present only 8 percent are required. Refused adoption by the Assembly.

SB 162 (Dilworth). Amended Section 2540 of the Elections Code by eliminating the provision that votes gained through cross-filing may be used to qualify a party for the primary, and reduced from 3 percent to 2 percent the proportion of votes needed to qualify a party. Killed in Assembly.

SB 1659 (Hugh M. Burns and Dilworth). Calls for a special election on November 8, 1949. Signed by the Governor, July 18, 1949, Chapter 931.

EMPLOYMENT AGENCIES

Bills Marked * Were Sponsored by the Federation

Good Bills

***AB 106 (Doyle).** Adds Section 1630.1 to the Labor Code to provide that every employment agency shall notify each applicant before sending such applicant in response to a request for employment whether a labor contract is in existence at the establishment to which the appli-

cant is being sent. A clause to require notification of the terms of the contract, including union membership requirements, was deleted. Signed by the Governor, July 20, 1949, Chapter 1035.

AB 1286 (Condon and George D. Collins). Would have repealed Chapter 1 of Part 6 of Division 2 of the Labor Code to abolish private employment agencies. Died in Assembly committee.

SB 1630 (Dorsey). Would have authorized the Labor Commissioner to establish a schedule of maximum fees for various types of employment agencies. Killed in the Senate.

FIRE FIGHTERS

Bills Marked * Were Sponsored by the Federation

Good Bills

***AB 1019 (Dickey).** Amended Section 32355 of the Government Code to provide for an annual pension to the dependent of any deceased member of a county fire service retirement system. At the present time a pension may only be paid for death, injury or retirement resulting from injury in active service. Died in Assembly committee.

***AB 1020 (Dickey).** Provided for a 48-hour week for firemen beginning January 1, 1950, and for time and one-half for work over 48 hours or equivalent time off. Prohibited overtime except in case of emergency.

Companion: ***SB 108.**

Both these bills died in their original committees.

***ACA 85 (Dickey).** Provided that in any political subdivision having a population in excess of 20,000, fire fighters' hours should not exceed 48 hours a week, averaged over a period of 14 weeks, overtime to be paid at time and a half and might only be worked during an emergency. Died in Assembly committee.

***SB 108 (Regan).** See companion: ***AB 1020.**

SB 790 (Regan). Would have added Section 4461 to the Labor Code to provide maximum benefits to fire fighters of \$35 weekly. Volunteer firemen would have been paid the maximum. Died in Senate committee.

SB 1038 (Regan et al). Would have amended Section 4458 of the Labor Code to grant the increased disability and death benefits to volunteer firemen and their dependents. Died in Assembly committee.

FISH AND GAME

Good Bills

AB 41 (Thomas). Compromise sardine conservation bill which eliminates the summer pack,

cuts thirty days from sardine fishing season. No size limit is provided. Signed by the Governor, May 27, 1949, Chapter 420.

AB 77 (Luckel and Cramer). Amends Section 736 of the Fish and Game Code, to provide that the present prohibition on the sale of yellow-fin tuna or blue-fin tuna weighing less than seven and one-half pounds or more than 150 pounds shall become effective June 30, 1951, thereby continuing present law for two more years.: Signed by the Governor, July 26, 1949, Chapter 1221.

AB 214 (Thomas). Amends Section 741 of the Fish and Game Code so that it becomes unlawful to can any sardines taken under the provisions of this section for bait or for sale or consumption as fresh fish. Signed by the Governor, May 13, 1949, Chapter 224.

AB 319 (Thomas). Would have permitted the use of purse seine and round haul nets in District 20 (Catalina Island) to take tuna and sardines. Died in Assembly committee.

AB 1328 (Condon). Would have made it the policy of the state to impose restrictions on commercial fishing only when substantial proof existed that the fishing would be improved. It and its companion, **SB 1602**, both died in committee.

Bad Bills

AB 1960 (Stanley). Prohibits the harvesting of kelp in areas off Orange county. Killed in Assembly.

SB 323 (Watson et al). Would have provided for a longer closed season on sardines; further, that all sardine hauls containing more than 25 percent, by weight, of sardines under 8 inches in length be deemed illegal and turned over to the state for disposal. Such a regulation serves no good conservation purpose, since the small fish are necessarily caught and killed; seizure and disposal by the state deprives the fishing crew of their share of the value of the catch, and in addition, in the past, has tended to depress the price of fish, since the state was able to sell at any price. Died in Assembly committee.

HEALTH INSURANCE

Repeated efforts were made throughout the session to obtain some form of prepaid medical care, or hospital benefits. The two comprehensive bills below both died in committee. Numerous efforts to obtain hospital benefits only under unemployment disability insurance were also made, and victory was finally achieved with the passage of ***AB 669**, reported under "unemployment disability insurance."

Bills Marked * Were Sponsored by the Federation

Good Bills

***AB 863 (George D. Collins)**. This was the California State Federation of Labor's bill for prepaid medical care. Withdrawal from committee was refused by the Assembly, 20 to 43, June 17, 1949. (Assembly roll call No. 26.)

SB 157 (Salsman et al). This was Governor Warren's health insurance proposal. It provided

for a system of pre-paid medical and hospital care.

Action on this bill was postponed indefinitely on April 28 by the Senate Governmental Efficiency Committee. An attempt on June 6 to withdraw the bill from committee on motion by Senator Salsman was defeated, 18 to 16, on the Senate floor. (Senate roll call No. 18.)

HOUSING

Good Bills

AB 21 (Morris). As passed by the Assembly, the measure would permit the formation of non-profit housing corporations which would borrow money on 50-year loans from banks and insurance companies. The loans, up to a total of \$300,000,000, would be approved by the state, and interest charged on the loans, above 2 percent but not over 4½ percent, would be paid by the state. (Assembly roll calls Nos. 16, 17, 18 and 19.)

Amendments in the Senate clarified and gave stronger priorities to veterans, and further provided that units built under the measure should be rented only to families with less than \$3,000 income. The bill died, however, in Senate committee.

AB 28 (Morris). Would have exempted from taxation the property and bonds of certain corporations under the Limited Dividend Housing Corporations Act. Refused passage twice by the Assembly.

AB 167 (Elliott et al). Provided for a "little Wagner-Ellender-Taft Stand-by Housing and Slum Clearance Act," and appropriated \$100,000,000. Died in Assembly committee.

AB 1778 (Heisinger et al). Farm labor housing measure. See **AB 2467**.

AB 2467 (Lewis). As amended, appropriated \$12,000,000 for farm labor housing. Created a Farm Labor Housing Commission and local committees. Provided for purchase or construction of farm labor housing projects. Died in Assembly Committee on Ways and Means.

Similar to **AB 1778** and **SB 705**, which died in their original committees.

AB 2635 (Hawkins). Created a public agency of the state, the California Housing Authority, to undertake slum clearance and projects to provide dwelling accommodations for persons of low income, defined the powers and duties of the California Housing Authority, etc. Died in Assembly committee.

AB 2811 (Moss et al). Added Sections 3.5 and 3.6 to the Housing Authorities Law. Provided for the coordination of local housing plans incidental to community redevelopment, and the replacement of temporary war housing by the State Housing Authority, and prescribed the powers and duties of such authority. Died in Assembly committee.

AB 3109 (Bennett, Elliott et al). A one-month rent control act, which would have provided temporary state rent control if federal rent control had been lifted, and would have given the legislature a chance to pass permanent rent control. Died in Assembly committee.

SB 7 (O'Gara and Miller). Appropriated \$55,000 to State Redevelopment Agency during the fiscal year 1948-1949. See **SB 1567**. Died in Senate committee.

SB 10 (O'Gara and Miller). Made the State Redevelopment Agency a permanent organization and appropriated \$129,560 for the 1949-1950 fiscal year. Died in Senate committee.

SB 705 (Drobish). Farm labor housing measure. See **AB 2467**.

SB 1156 (O'Gara and Miller). Amended Sections 2, 41, and 69 of the Community Redevelop-

ment Act to define a blighted area so as to include a housing area constructed as a temporary wartime housing project and not designed or constructed to be used permanently which has now deteriorated or become obsolescent so as to be unsuitable for residential purposes. Died in Senate committee.

SB 1612 (O'Gara). Provided a temporary rent control act to safeguard California tenants should the federal rent control act be repealed. Died in Senate committee.

SCR 79 (O'Gara and Miller). Creates a Fact-Finding Committee on Community Redevelopment and Housing Problems with Particular Reference to Legislation Supplementary to Federal Legislation. The committee will be a joint one and will report to the 51st regular session. \$10,000 is appropriated. Filed with the Secretary of State, July 2, 1949, Resolutions Chapter 201.

Bad Bills

SB 1567 (Rich). Repealed Sections 95 and 96, Article 19 of the Community Redevelopment Act, eliminating the State Redevelopment Agency and the powers of that agency with regard to the whole housing program. This agency has had no appropriation since mid-1948. See **SB 7** and **SB 10**.

This bill was pocket-vetoed by the Governor.

INDUSTRIAL SAFETY

Bills Marked * Were Sponsored by the Federation
Bills Marked • Were Sponsored by the

State Building Trades Council

Bills Marked ** Were Sponsored by the Railroad Brotherhoods

Good Bills

•**AB 1188 (Gaffney and George D. Collins).** Required supervisors to be furnished with applicable orders of the Division of Industrial Safety prior to their entering upon their employment. Died in Assembly committee.

•**AB 1189 (Gaffney and George D. Collins).** Provided that when, in the opinion of any authorized employee of the Division of Industrial Relations, any building, construction, improvement, alteration, etc., is being performed in whole or in part in violation of any order of the division or provision of the Labor Code, so much of that building which is in violation may be prohibited by written notice. Other provisions for

its enforcement and adjustment were contained in the bill. Died in Assembly committee.

***AB 1190 (Gaffney and George D. Collins).** Adds Section 6604 to the Labor Code so that no employee shall be fired for refusing to perform work in violation of a safety order of the Division of Industrial Safety, where such violation causes a real and apparent hazard to the employee. Signed by the Governor, July 21, 1949, Chapter 1060.

•**AB 1191 (Gaffney and George D. Collins).** Authorized the Division of Industrial Safety to enforce the provisions for safety in employment in Division 5 of the Labor Code, and invested authorized employees of the Division of Industrial Safety with the authority of peace officers to make arrests and serve processes and notices. Died in Assembly committee.

****AB 1769 (Davis).** Provided for the maintenance by common carriers of a handrail and pedestrian walk upon all culverts and bridges of their respective systems. Died in Assembly committee.

SB 265 (O'Gara). Amended sections of the Labor Code relating to regulation of tanks and boilers. Provided that where serious conditions are found which would jeopardize employees, the fact must be reported to the Division of Labor Law Enforcement by telegraph or telephone within 24 hours. Other sections of the Code were amended to make the inspection requirements more comprehensive and effective. See also **AB 1361**. Both died in their respective committees.

INSURANCE

Good Bills

SB 711 (Salsman). Amends the Insurance Code relating to disability insurance policies to set minimum standards for commercial sickness and disability insurance benefits. Will curb sale of policies with trivial benefits and those containing unintelligible, uncertain and ambiguous language. Signed by the Governor, August 1, 1949, Chapter 1486.

SB 713 (Salsman). Provided minimum benefits, standards, indemnities and coverage in all individual and group insurance policies to prevent fraud and mistake and economically unsound policies. Died in Senate committee.

SB 1098 (Miller). Prohibited a person making a loan from requiring the borrower to obtain insurance through a particular insurance agent or broker. Killed in Assembly. A companion measure, **AB 1701**, died in Assembly committee.

LABOR CODE CHANGES— MISCELLANEOUS

Bills Marked * Were Sponsored by the Federation
Bills Marked ** Were Sponsored by the Railroad Brotherhoods

Good Bills

AB 99 (Hahn). Provided that no person in this state shall be discriminated against or in any way be refused steady or permanent employment under the presumption of physical unfitness by reason of such person having attained a certain age. Died in Assembly committee.

AB 393 (Fletcher). Clarified and strengthened the terms of the contract for labor to be performed outside the continental United States. Died in Assembly committee.

AB 933 (Anderson et al). As passed by the Assembly (Assembly roll call No. 27), provided for a minimum wage of \$.75 an hour in all employment covered by the Unemployment Insurance Act. Died in Senate committee.

****AB 1233 (Davis et al).** Would have provided for the payment of wages to employees by check or draft and facilities for cashing them. Died in Assembly committee.

****SB 1345 (Miller and Johnson).** Would have required that any order, check, draft, etc., in payment of wages be negotiable and payable in cash, on demand, without discount, at some established place of business in the city or town where the payee is employed. Died in Senate committee.

Bad Bills

SB 678 (Williams). Would have extended the time limit within which wages must be paid. Died in Senate committee.

LABOR UNIONS

Most of the bills reported under this section indicate the vicious and repeated attacks upon the labor movement which are constantly being made by employers in an effort to break down free trade unions and voluntary collective bargaining. The defeat of the "hot cargo" and secondary boycott bill, **SB 1066**, in the Assembly Committee on Industrial Relations was a major victory for the Federation, since in previous years such bills have reached the Governor's desk.

Bills Marked * Were Sponsored by the Federation

Good Bills

***AB 113 (Fletcher).** Would have extended collective bargaining rights to employees of publicly owned public utilities. Refused passage in the Assembly. (Assembly roll call No. 1.)

AB 450 (Condon). Provides labor unions are comparable to other unincorporated associations as far as the holding of real estate and other property is concerned. Signed by the Governor, June 14, 1949, Chapter 626.

AB 2433 (Condon). Prohibited yellow dog contracts and limited the use of injunctions in labor disputes. The bill was similar to the Norris-La Guardia Act, but contained some additional provisions. Died in Assembly committee.

AB 2570 (Brown et al). Originally, this bill made the punishment for participating in a riot

up to one year in a county jail or up to two years in a state prison, or by both fine and imprisonment, and was a bad bill. As amended and passed by the Assembly, it reduced the present county jail term from two years to one year and was a good measure. Died in Senate committee.

SB 624 (Dillinger). Amends Section 65 of the Labor Code to give the Department of Industrial Relations the power to interfere on its own motion in a labor dispute and makes records of the Department on disputes confidential. (Senate roll call No. 1.) Signed by the Governor, June 7, 1949, Chapter 568.

SB 1212 (Hugh M. Burns et al). As amended, prohibited racial or religious discrimination in membership by a labor organization or in employment by an employer, and was a good bill. Originally, it was a bad "right to work" bill. Died in Senate committee.

Bad Bills

AB 189 (Evans). Would have made any person responsible in any way for causing malicious injury to railroad property guilty of a misdemeanor. The language of this bill could possibly have been so construed as to apply to action concomitant with a labor dispute. Died in Assembly committee.

AB 190 (Evans). Amends Section 587b of the Penal Code so that every person who is now deemed guilty of a misdemeanor in trespassing upon railroad equipment would also be likewise guilty if such person or persons attached himself or themselves to any locomotive. Signed by the Governor, May 6, 1949, Chapter 137.

AB 1259 (Evans). Would have prohibited mass picketing and made it a misdemeanor. Died in Assembly committee.

See also: **AB 2485, AB 2570, SB 1322**, all of which failed to reach the Governor's desk.

AB 1359 (Levering et al). Purported to be an anti-featherbedding bill, but would have limited trade union demands for vacations, rest periods and adequate manning scales. This bill and a similar measure, **AB 2149**, died in Assembly committee, while a similar measure, **SB 563**, died in the Senate.

AB 1588 (Reagan). Would have provided that the responsibility of interment would be upon the California Department of Public Health when the usual facilities were not available. This could have been used as a strike-breaking measure against embalmers and cemetery employees. Companion: **SB 1003**. Both died in their original committees.

AB 2149 (Levering and Reagan). A featherbedding measure. See **AB 1359**.

AB 2189 (Clarke et al). A "hot cargo" act. Died in Assembly committee. See **SB 1066**.

AB 2485 (Reagan and Levering). Would have prohibited mass picketing, which was defined as the grouping or assembly of two or more persons on any public highway, street, sidewalk, alley or road. The use of force or violence during a labor dispute would have been made punishable by imprisonment up to one year or a fine up to \$1000 or both. Died in Assembly committee.

AB 2630 (Butters et al). "Right to work" bill. See companion: **SB 1336**. See also **SB 1110** and **SB 1212**. All died in their respective committees.

AB 3150 (Anderson). Would have added Sections 930 through 964 to the Labor Code to establish a "little Wagner Act," but includes very harsh provisions relating to the settlement of jurisdictional disputes, which would promote the establishment of company unions. Died in Assembly committee.

SB 40 (Williams). Would have added Section 411 to the Penal Code, making it a misdemeanor to threaten to inflict bodily injury upon another whether or not the other was there, and making it a further misdemeanor to fail to report such a threat to the sheriff or chief of police. Died in Senate committee.

SB 186 (Dillinger). Originally a compulsory arbitration measure. As amended, provided that the Governor must, upon the request of either party to a labor dispute, appoint a Board of three members from a California Mediation Panel to make recommendations for the settlement of the labor dispute. The parties to this dispute would then have had to vote on whether or not they would accept the recommendations of the Board. The parties' actions and the recommendation of the Board were to be given full publicity. Died in Senate committee.

SB 563 (Williams et al). An anti-featherbedding measure. Died in the Senate. See **AB 1359**.

SB 1003 (Kraft). See companion **AB 1588**. Died in Senate committee.

SB 1066 (Hatfield). This was the major "hot cargo" bill. It would have made it illegal for an employee to refuse to work on blacklisted goods, and for an employee to refuse to work for an employer or force him to cease doing business with another employer who was being struck. Secondary picketing would also have been illegal. No employer could refuse to handle goods for another employer merely because such employer was involved in a labor dispute. Injunctions could be obtained when any of the above provisions were violated.

Passed the Senate, March 31. (Senate roll call No. 2.)

Killed in Assembly Industrial Relations Committee, 11 to 1, April 28.

The defeat of this bad measure greatly strengthened the Federation's hand in the legislature.

SB 1110 (Rich et al). Would have prohibited the closed or union shop on public construction projects. Killed in Senate committee. See also **AB 2630**.

SB 1322 (Judah and Coombs). Prohibited mass picketing. Died in Senate committee. See **AB 1259**.

SB 1336 (Watson). A "right to work" measure. Died in Senate committee. See **AB 2630**.

SB 1603 (Williams). Would have amended Section 1118 of the Labor Code, prohibiting jurisdictional strikes by extending the meaning of jurisdictional strikes to include agreements resolving jurisdiction between employees made between employees as such. Died in Senate committee.

LOANS

Good Bills

AB 13 (Grunsky). Would have repealed the \$300 provision in the California Small Loan Act. Died in Assembly committee.

AB 34 (Grunsky). This was the Governor's proposal to regulate small loans. It amended the Personal Property Brokers Act to limit the interest rate on loans over \$300 to 5/6 of one percent per month. Such loans had not previously been subject to legislative interest rate limits. As last amended, the lower interest rate of 5/6 of one percent per month was to apply to loans over \$500.

No attempt was made by the author to withdraw the bill from committee, while a motion to withdraw by Maloney failed for lack of a second. The Assembly then proceeded to act on the "industry bill" sponsored by Reagan—**AB 2309**.

AB 2309 (Reagan and Crowley). Industry-sponsored measure to regulate small loans. Limits interest rate on loans of \$100 to \$500 to 24 percent and on loans of \$500 to \$5,000 to 10 percent. Prior to the passage of this legislation, loans of over \$300 were subject only to the general 10 percent limit of the Constitution,

which contains so many exemptions that its application has never been clear or effective.

Signed by the Governor, July 20, 1949, Chapter 1033.

OLEOMARGARINE

The Federation's 1948 reapportionment campaign was an important factor in inducing the Senate to pass the oleomargarine bill in this session; talk of another reapportionment attempt arose in almost all urban newspapers when it appeared that the Senate might fail to pass the measure.

Good Bills

AB 30 (Maloney and Gaffney). Amends Sections 642 and 666 of the Agricultural Code to permit the manufacture and sale of colored oleomargarine. Amended in the Senate to limit sales of colored oleo for home consumption only. Signed by the Governor, June 28, 1949, Chapter 769.

PUBLIC HEALTH

Bills Marked * Were Sponsored by the Federation

Good Bills

***AB 114 (Fletcher).** Would have eliminated local inspection and provided for uniform state inspection of slaughtering, processing and sale of meat and meat products. Specified closing hours and eliminated exemptions. Died in Assembly committee.

***AB 1092 (Fletcher).** Would have prohibited charging any fee for public toilets. Died in Assembly committee.

AB 2080 (Dickey). Amends the Health and Safety Code to strengthen and completely revise the sections on the sale of horse meat. Violation is made a misdemeanor. Urgency measure. Signed by the Governor, June 23, 1949, Chapter 738.

Bad Bills

AB 1602 (Brown et al). Provided a lien for all hospitals and allied services rendered to an injured person; provided its assignment and enforceability; exempted the provisions with respect to workmen's compensation cases. Companion: **SB 599**, and similar to **AB 1757**. All died in their original committees.

RAILROAD EMPLOYEES

See also Labor Unions.

Bills Marked ** Were Sponsored by the Railroad Brotherhoods

Good Bills

****AB 1229 (Davis et al).** Would have increased the weight of a bell on locomotive or engine from 20 pounds to 100 pounds, to be run, or whistle blown, at a distance not less than one-third of a mile from grade crossings. Died in Assembly committee.

****AB 1230 (Davis et al).** Would have provided for additional safety devices on railroads. Died in Assembly committee.

****AB 1231 (Davis et al).** Would have prohibited the use of certain types of cabooses by railroads. Died in Assembly committee.

****AB 1232 (Davis et al).** Would have defined the crews to be used in the operation of single locomotives. Died in Assembly committee.

****AB 2757 (Doyle).** Would have prohibited switching movements involving occupied cabooses. Died in Assembly committee.

****AB 2756 (Doyle).** Would have required railroads to equip unprotected culverts and bridges with footwalks and handrails to conform with Public Utilities Commission General Order 26-D. Died in Assembly committee.

****AB 2768 (Davis).** Would have prohibited billboards within $\frac{3}{4}$ mile of railway grade crossings. Died in Assembly committee.

****ACR 40 (Hollibaugh et al).** Would have provided for investigation and determination by the Public Utilities Commission of the number of brakemen to be assigned to freight trains to promote safety. Died in Assembly committee.

SCHOOLS AND TEACHERS

Bills Marked * Were Sponsored by the Federation

Good Bills

***AB 257 (Caldecott and Dunn).** Would have clarified disposal of balance of benefits after death of retired members of State Teachers' Retirement System. Died in Assembly committee.

AB 594 (Maloney). Provides for the compulsory retirement at the age of 70 of state college

employees who are not members of the State Teachers' Retirement System. Signed by the Governor, July 21, 1949, Chapter 1068.

AB 910 (Dunn et al). Amends and repeals various sections of the Education Code relating to reorganization of school districts. Signed by the Governor, June 14, 1949, Chapter 637.

AB 956 (Ralph C. Dills et al). Amends various sections of the Education Code relating to the State Teachers' Retirement System to increase benefits and annuities. Reduces the optional retirement age from 56 to 55. Provides for annuities at the age of 60, and may result in the payment of about \$4 to 5 million additional benefits. It was, however, considerably amended in the legislature. Makes improvements "in principle," which will add about \$40 monthly to retirement checks, but does not become effective until July 1, 1950, and then only if revenue is provided. Signed by the Governor, July 25, 1949, Chapter 1158.

AB 2120 (Dunn et al). As first drafted, provided for \$36,000,000 increase in state educational aid to provide \$120 per student, with special provisions for poor districts, for abnormal population increases, for handicapped and mentally retarded children, and for transportation. About \$36,000,000 was provided in the bill as it passed the Assembly.

In the Senate, provisions for raising teachers' salaries were deleted, and as finally passed, the bill continues the present law providing for the apportionment of funds to school districts, and provides some increases in aid. Signed by the Governor, July 20, 1949, Chapter 1017.

ACA 80 (Dunn et al). Originally proposed the issuance of \$400,000,000 in bonds to provide aid to school districts. Amended to provide for the issuance of \$250,000,000 in bonds. Filed with the Secretary of State, July 2, 1949, Resolutions Chapter 203.

SB 486 (Dillinger). Amends and clarifies various sections of the Education Code dealing with the State Teachers' Retirement Fund, and in relationship to other retirement funds and systems. Provides that the retirement or retirement disability allowance due under the State Teachers' System shall be at least as great as the amount due under a local retirement system.

Signed by the Governor, July 25, 1949, Chapter 1157.

SB 850 (Dilworth et al). Provides state aid to eligible school districts and for sites, building and equipment. This will benefit impoverished school districts, and will apply particularly to the kindergarten and grade levels. Signed by the Governor, July 28, 1949, Chapter 1389.

Bad Bills

AB 3136 (Connolly). Would have limited the notice and hearing which must be given probationary employees in school districts of over 60,000 a.d.a. prior to their dismissal. Would have applied primarily to San Francisco. Died in Assembly committee.

SB 13 (Dilworth et al). Would have amended Section 12,100 of the Education Code containing the oath of office for teachers to include in the oath a statement that the teacher was not affiliated with any subversive organization. Died in Senate committee.

SB 187 (Dillinger). Amends Section 13424 of the Education Code relating to traveling expenses for teachers attending teachers' institutes and limits the maximum allowance to \$35.00. Signed by the Governor, May 31, 1949, Chapter 479.

SOCIAL WELFARE

Good Bills

AB 75 (Hawkins). Would have amended the Relief Act of 1945 to liberalize the relief provisions. Would have further provided that the Act must be administered through county welfare departments, or where such departments did not exist, through the agency which administered aid to dependent children. Provided that all persons administering the Act should be employed on a merit basis and should not be hired or fired by the State Department of Social Welfare. Died in Senate committee.

AB 645 (Gaffney et al). Amends Sections 3420 and 3472 of the Welfare and Institutions Code relating to aid for partially self-supporting blind residents to provide that the per capita appropriation for blind persons resident of the county shall be increased from a maximum of \$750 to \$850 per year per recipient, and to

further provide for increase of the maximum appropriation from \$900 to \$1020 for such blind persons as have no county residence. Further provides that the payment to a blind person, when added to the net income of that person from all other sources, shall be raised from a maximum of \$75 a month to \$85 a month.

Amended in Assembly January 26 to make the measure an urgency one to take effect immediately in order that aid for the partially self-supporting blind may be increased as much as aid for the needy blind provided under Proposition 4, Article XXV, of the Constitution.

Signed by the Governor, January 29, 1949, Chapter 10.

AB 965 (Lewis et al). Would have provided aid for needy disabled persons up to \$75 a month, to be administered by counties under the general supervision of the State Department of Social Welfare. Died in Senate committee.

AB 1345 (Morris). Amends Section 2020 of the Welfare and Institutions Code to increase aid to the needy aged from \$60 to \$75 a month. Would have practical effect if Article XXV of the constitution is repealed. Signed by the Governor, July 22, 1949, Chapter 1220.

AB 1346 (Morris). Amends the Welfare and Institutions Code to increase aid to the needy blind to \$85 a month, to become effective only when aid under Article XXV of the Constitution is not appropriated. Signed by the Governor, July 26, 1949, Chapter 1304.

AB 1921 (Crowley et al)... Repeals Sections 3474 and 3474.1 of the Welfare and Institutions Code relating to the responsibility of relatives of partially self-supporting blind persons who are receiving public assistance. Signed by the Governor, July 20, 1949, Chapter 1048.

AB 3110 (Rosenthal). Would have enacted into the Social Welfare Code most of the provisions for aged and blind security now contained in Article XXV in the Constitution, and further provided for the adjustment of benefits on the basis of the cost of living. The bill was introduced to nullify the effect of a possible repeal of Article XXV of the State Constitution. Passed Assembly (Assembly roll call No. 29), but died in Senate committee.

ACA 77 (Rosenthal). Would have amended

Article XXV of the Constitution to provide that the legislature may increase the amount of old age and blind pensions above the level now set in the Constitution; no decrease would have been permitted. Died in Assembly committee.

SB 1037 (Jespersion). Appropriates \$500,000 for services for physically handicapped children suffering from rheumatic fever and rheumatic heart disease. Signed by the Governor, July 21, 1949, Chapter 1083.

STATE, COUNTY AND MUNICIPAL EMPLOYEES — GENERAL

The Federation prevented the passage of bills aimed at destroying the prevailing wage concept in the payment of state employees. **SB 1533** was of particular importance. The Federation also supported measures to protect and improve the wages, hours and working conditions of public employees. In addition, ***AB 113**, reported under "Labor Unions," would have granted collective bargaining rights to employees of public utilities. Efforts to obtain unemployment compensation for public employees are reported under "Unemployment Insurance." The legislature refused a "fourth round" pay increase for civil service employees.

Good Bills

AB 204 (Sherwin and Lowrey). Would have prohibited the payment of retroactive wage increases to state employees. Died in Assembly committee.

AB 360 (Rosenthal). Would have amended Section 24005 of the Government Code so that county officers and employees would be entitled to a vacation with pay for each full year of full time service, eliminating the ceiling of 15 full working days. Also deleted the provision existing now that vacations shall not be cumulated from year to year. The Senate refused passage.

AB 364 (Rosenthal). Would have provided for the observance of Armistice Day on Monday if the holiday fell on the preceding Saturday or Sunday. Died in Assembly committee.

AB 527 (Sherwin). Appropriates \$1,800,000 for pay increases for state employees who did not receive increases in 1948. Signed by the Governor, February 7, 1949, Chapter 18.

AB 693 (Gaffney et al). Would have added Section 18860 to the Government Code to provide for one additional step in the salary range for employees who have been at the maximum of the range in the same class for seven years, not to exceed three such additional steps. Died in Assembly committee.

AB 1100 (Sherwin). This is the budget act for the 1949-1950 fiscal year. As originally presented, it provided under Item 280 for \$6,100,000 to be used by the State Personnel Board in making salary adjustments. As finally passed,

provided only \$500,000 for this purpose. Signed by the Governor, June 18, 1949, Chapter 700.

AB 1426 (Maloney). This bill, sponsored by the Railroad Brotherhoods, would have provided hospital benefits for employees of the State Belt Railroad. Died in Assembly committee.

AB 1899 (Doyle and Geddes). Appropriates \$508,591 to provide for the payment of overtime worked prior to June 9, 1948, such payment to be in lieu of compensating time off. Signed by the Governor, June 27, 1949, Chapter 1281.

AB 2047 (Stewart). Amends Section 19140 of the Government Code to provide that when an employee has left state service, he may be reinstated at the same or lower classification, and provides that such reinstated employee must serve the regular probationary period for his class before attaining permanent status. Signed by the Governor, June 1, 1949, Chapter 489.

AB 2063 (Stewart). Proposed to amend Section 18803 of the Government Code, making it optional for the State Personnel Board to provide for investigation, hearings, etc., in the reclassification of state employees. Amended to require a hearing for any employee affected by the reclassification of his position. Signed by the Governor, May 13, 1949, Chapter 251.

AB 2131 (Cooke). Would have provided time and a half for overtime and for work on holidays. Died in Assembly committee.

AB 2636 (Hawkins). Prohibits the inclusion of questions relative to race or religion in ap-

plications or forms for state positions. Signed by the Governor, August 2, 1949, Chapter 1578.

AJR 21 (Condon). Would have requested Congress to extend the benefits of social security laws to persons employed by public utilities and other agencies of the federal, state, county, and municipal governments. Died in Assembly committee.

SB 1626 (Collier). Authorized the Public Utilities Commission to promote safety in state-owned railroads. Pocket-vetoed by the Governor.

Bad Bills

AB 2038 (Stewart). Amends Sections 18935, 18936, and 18937, and adds Section 18939 to the Government Code so that the State Personnel Board may refuse to examine or to declare or certify as eligible anyone who lacks any requirements established by the Board for examination, or who has been dismissed from any position for any cause which would be a cause for dismissal from the state service, or has resigned in similar manner from any position, or who has waived appointment three times after certification, or who has failed to reply within a reasonable time to inquiries concerning his availability for employment, or who is mentally unfit. Gives the Board the right to establish standards for each part of an examination, and may provide that candidates not meeting such standards may not advance to subsequent parts of the examination. The passing mark for an examination may be other than the true arithmetic average. Signed by the Governor, May 27, 1949, Chapter 472.

AB 2050 (Stewart). Weakens the law regarding payment for overtime. Signed by the Governor, May 11, 1949, Chapter 208.

AB 2056 (Stewart). Originally amended sections of the Government Code to deny sick leave to state employees employed on an intermittent basis and to eliminate the provision for war duration appointments and to further eliminate the right of an employee to request a transfer. As finally amended, eliminates only the right of an employee to request a transfer from the Personnel Board. The procedure for giving notice of personnel actions is also clarified. Signed by the Governor, July 22, 1949, Chapter 1141.

AB 2064 (Stewart). Amends Sections 18850 and 18851 of the Government Code so that in

the adjustment of salary ranges improvement of living standards and current costs of living are eliminated as factors of consideration and the State Personnel Board cannot make any adjustments which require expenditures in excess of existing appropriations which may be used for salary increase purposes. By Assembly amendment, however, changes in salary ranges may be made retroactive. Signed by the Governor, May 13, 1949, Chapter 252.

AB 2492 (Geddes et al). Would have further defined and prohibited political activities by state employees and would have added further grounds for disciplining state employees. Died in Senate committee.

SB 1532 (Rich). Would have cut the pay of employees in the State Printing plant. Died in Senate committee.

SB 1533 (Rich). Would have provided that the prevailing wage concept could no longer be applied to hourly or per diem workers of the State. It also would have provided, at the discretion of the Personnel Board, for a rate of pay even less than the prevailing scale. Passage refused by the Senate, June 20, 1949. (Senate roll calls No. 14 and No. 15.)

STATE, COUNTY AND MUNICIPAL EMPLOYEES —RETIREMENT

Bills Marked * Were Sponsored by the Federation

Good Bills

AB 362 (Rosenthal). Amends Sections 31672 and 31700 of the Government Code so that any member who has reached the age of 70 years or any member who has completed 10 years of continuous service, instead of the present requirement of 20 years, may be retired. Also any member who leaves county service after completing 5 years of service instead of the present 20 years may elect to leave his accumulated contributions in the retirement fund and be granted a deferred retirement allowance to become effective either upon the option of the member at any time 10 years or more after first becoming a member, or, as presently required, after he attains the minimum age of voluntary service retirement.

The present requirement that the effective date of deferred retirement allowance shall not

be later than the first of the month following that in which he attains age 70 is changed to not later than the first day of the month following the attainment of the same age. Also provides that any member who leaves county services as a result of state assumption of county functions may leave his contributions in the county fund and receive a deferred pension. Signed by the Governor, June 29, 1949, Chapter 775.

AB 369 (Rosenthal). Increases retirement allowance from \$720 to \$900 per year. If allowance of members entering retirement system with credit for prior service is less than \$900, an additional amount shall be added to bring it to \$900. Signed by the Governor, July 15, 1949, Chapter 935.

AB 800 (George D. Collins et al). Would have added Section 20585 to the Government Code to provide for the inclusion of local policemen in the State Employees' Retirement System when such employees were not otherwise covered by a retirement system. Died in Assembly committee.

AB 1910 (Fleury and Moss). Liberalizes the state employees' retirement system to provide that "final compensation" shall mean the highest average annual compensation during any five-year period, and continues provisions for reinstatement in the state system of state employees who transferred to the federal government and then back to the state government. Other improvements are also made. Signed by the Governor, July 25, 1949, Chapter 1218.

AB 2696 (Brown). Would have amended Sections 31672 and 31677 of the Government Code, providing for the computation of a pension for a person with 30 years or more of continuous service who retires before attaining age 60, so that the amount would be the same as if he had attained the age of 60. Died in Assembly committee.

***SB 105 (Regan).** Would have amended Section 32355 of the Government Code to provide death benefits on death after retirement to dependents, even though retirement is not due to a service-connected disability. Died in Senate committee.

SB 330 (Judah). Clarifies various sections of the state employees' retirement system and liberalizes sections applying to the reinstatement

of a member who had been retired for lay-off or disability and who later was reemployed. Signed by the Governor, May 18, 1949, Chapter 298.

STATE GOVERNMENT

As in previous years, efforts to curb lobbying activities or to identify lobbyists clearly failed to pass either house of the legislature. In addition to the bills listed below, a number of constitutional amendments to repeal obsolete sections of the constitution were approved and will appear on the ballot in November, 1949.

Good Bills

AB 3 (Collier and Hahn). Would have added Chapter 8 to Part 1, Division 2, Title 2 of the Government Code relating to lobbying to provide a series of strict controls on all persons acting in the capacity of lobbyist. As last amended, would have provided for more complete registration data from lobbyists, and made a first violation a misdemeanor punishable by \$5,000 fine or 12 months' imprisonment, and suspension of lobbying rights for 3 years. Continued violation would have been a felony punishable by \$10,000 fine and/or 5 years' imprisonment. Died in Senate committee.

ACA 30 (Elliott). Would have amended Section 6 of Article IV to provide for senate reapportionment. Los Angeles County would have had 4 senatorial districts, Alameda County 2 and San Francisco County 2. Counties of small population could have been grouped to include 5, instead of the present requirement of 3 counties in any one senatorial district. Died in Assembly committee.

ACA 84 (Sam L. Collins). Provides that all general sessions of the legislature shall be limited to 120 calendar days; the budget sessions may not consider urgency measures but only budget bills, revenue acts, and city and county charters, and shall be limited to 30 days. Increases the pay of members of the legislature to \$300 a month; and limits expenses for which they may be reimbursed. Provides that they may be reimbursed only for mileage and expenses actually incurred in attending the session, and for not more than 60 days of work with interim committees. Filed with the Secretary of State, July 2, 1949, Resolutions Chapter 187.

TEAMSTERS AND CHAUFFEURS

As a result of Federation activities in Sacramento, the Motor Vehicle Code has been substantially improved to protect the rights of chauffeurs. Suspension of a chauffeur's license, which deprives the chauffeur of his means of livelihood, is now discretionary with the court and summary suspension by the Department is no longer possible. Very successful amendments to the Financial Responsibility Law were worked out to the mutual satisfaction of chauffeurs and motorists.

No substantial changes affecting the dairy industry were made during the session, with the exception of the oleomargarine bill reported elsewhere.

Bills Marked * Were Sponsored by the Federation
See also: Civil Rights.

Good Bills

***AB 665 (Berry et al).** Would have amended Section 278 of the Vehicle Code to provide that when application was made for the renewal of a chauffeur's license, the Department would limit the examination to an examination of physical condition. At the present time the Department has discretion in limiting examination for renewals. Died in Assembly committee.

***AB 667 (Berry et al).** Amends Section 314 of the Vehicle Code to provide that in the suspension of a chauffeur's license the Department shall take into consideration the more frequent use of motor vehicles by chauffeurs. The provisions of this bill were incorporated in **SB 1178**, and **AB 667** was dropped by mutual consent of all interested groups after it had passed both houses.

***AB 668 (Berry et al).** Amended Section 476 of the Vehicle Code to provide that a yellow signal must precede a red light. As the act now stands, a signal may turn from green to red without warning after the driver is in the intersection, but if such a driver is in the intersection on a red light, he is presumed to have violated the act. By Senate amendment, would have become effective July 1, 1951. Pocket-vetoed by the Governor.

***AB 670 (Berry et al).** Would have amended Section 471 of the Vehicle Code to provide that all stop signs must be illuminated at night by electric light, except where no electric power is available. Died in Assembly committee.

***AB 897 (Brady).** Would have repealed sections of the Financial Responsibility law which have adversely affected chauffeurs. Died in Assembly committee. However, amendments entirely satisfactory to chauffeurs were incorporated in **SB 1177**, reported below.

AB 2136 (Stewart). Amends Sections 298, 307 and 502 of the Vehicle Code so that the suspension or revocation of a license for drunken driving (as a misdemeanor) is placed in the hands of the courts rather than the Department of Motor Vehicles. Action is discretionary with the court. Signed by the Governor, July 2, 1949, Chapter 807.

SB 1177 (Collier). Originally a bad measure, but amended to give adequate protection to both motorists and chauffeurs. Amends various sections of the Vehicle Code relating to financial responsibility to make the law apply to all drivers. Drivers must report all accidents within fifteen days. However, if the driver involved in an accident was driving a vehicle on his employer's business, the driver is then required to report the accident within five days to his employer on a form provided by the employer; the employer must then report the accident within ten days to Sacramento. The security provisions of the law now apply to the employer-owner of the vehicle rather than to the chauffeur, and if security is not deposited by the employer, the registration of the vehicle is suspended rather than the chauffeur's license. The law further states that "the privilege of a person to drive as a chauffeur in the course of his employment shall not be suspended under this chapter even though his privilege to drive is otherwise suspended under this chapter." Other amendments are also made, including speedier handling of cases involving minors. Signed by the Governor, July 5, 1949, Chapter 834.

SB 1178 (Collier). Into this bill were incorporated the necessary amendments to the Vehicle Code sponsored by the Federation on behalf of the Teamsters to protect the chauffeurs from the summary suspension of their license by the Department of Motor Vehicles. The law now specifically states that the Department shall

give due consideration to the more frequent use of motor vehicles by chauffeurs. Specific provision is also made for court review of all actions involving the refusing, canceling, suspending or revoking of a license. Signed by the Governor, July 28, 1949, Chapter 1407.

Bad Bills

AB 3090 (Anderson). Would have amended Section 736.12 of the Agricultural Code to provide for different retail prices for milk sold at stores and milk delivered at home and at hotels and restaurants. Would have resulted in different retail prices for the same grade of milk. It had the backing of the State Retail Grocery Association and Safeway Stores, but would have brought about a disorganized milk market. Died in Assembly committee at request of sponsors.

SB 75 (Rich). As last amended, would have added Section 381.1 to the Vehicle Code, thereby requiring that the renewal fee for drivers' licenses be \$3 unless application for such renewal was made within 60 days following expiration of a California license, or within 30 days after driving on the highways following the expiration of a license. Died in Assembly committee.

SB 150 (Dillinger). As signed by the Governor, amends the Vehicle Code to provide for the impounding of vehicles owned by drivers whose licenses have been suspended or revoked. Signed by the Governor, June 18, 1949, Chapter 703.

SB 1064 (Hatfield). This was a skeleton bill on the "Swampers and Lumpers Act." The Federation was able to prevent any action on this bill. Died in Senate committee.

UNEMPLOYMENT INSURANCE

The Federation was successful in eliminating the one and a half times rule so that an individual may now obtain both the maximum unemployment and disability benefit during the same benefit year, ***AB 898**; in extending unemployment insurance coverage to employees of public housing administrations, ***AB 744**; and in improving the administration of the Act, ***AB 896** and **SB 928**. The elimination of the one and a half times rule through ***AB 898** will result in the payment of \$1,100,000 additional benefits annually.

The whole unemployment insurance system was under heavy attack by Senator Kraft and his Senate Interim Committee on Employment Stabilization. Some forty bills, almost all bad, were introduced by Senator Kraft, and many more bad bills were introduced by others in an effort to wreck the unemployment insurance system and convert it into a mere employment service which could be used by employers to depress wage rates. Repeated blasts to the press by employers and their legislative representatives were made throughout the session.

Employers also tried constantly to reduce their unemployment insurance taxes through changes in the merit rating system, and, in addition, in the closing weeks of the session attempted to take \$50,000,000 from the disability fund to bolster their merit rating accounts and thereby reduce their taxes. See "Unemployment Disability Insurance" and **SB 377** for further details.

The Federation was successful in defeating practically all such bad legislation and was able to preserve and improve upon the Unemployment Insurance Act. Repeated efforts to ex-

tend coverage and to increase maximum and minimum benefits were made throughout the session but were opposed by the combined employer and insurance carrier forces. In the closing days the Federation therefore devoted its efforts to obtaining an increase in disability benefits, as reported in the section, "Unemployment Disability Insurance."

Bills Marked * Were Sponsored by the Federation

Good Bills

AB 76 (Elliott et al). See ***AB 178**.

***AB 122 (Maloney).** Would have repealed Sections 75 and 76 and amended Section 83 of the Unemployment Insurance Act to change the administration of the Act. Died in Assembly committee.

***AB 163 (Gaffney and George D. Collins).** Would have amended Section 6.5 of the Unemployment Insurance Act to broaden the definition of employment to include all services performed for remuneration unless proven to be in

fact by independent contractors. Died in Assembly committee.

The following bills also would have extended the coverage of the Unemployment Insurance Act: **AB 205**, ***AB 303**, **AB 398**, ***AB 482**, ***AB 803**, ***AB 806**, **AB 1608**, ***SB 211**, **SB 1319** and **SB 1409**. All died in their original committees, except **SB 1319**, which, as passed by the Senate, would have extended coverage to employees of non-profit organizations. **SB 1319** died in Assembly committee. A motion in the Assembly to withdraw from committee ***AB 482**, to extend coverage to agricultural employees, was defeated in the Assembly, June 17, 1949.

***AB 744**, noted below, to extend coverage to employees of public housing administration agencies, was signed by the Governor.

AB 2296, noted below, makes possible a very limited form of coverage for public employees and has been signed by the Governor.

***AB 175 (Dunn)**. As introduced, would have increased the maximum weekly benefit from the present \$25 to \$40. The Assembly Committee on Finance and Insurance refused to vote it out in this form on May 23. At the committee meeting the Federation then amended the bill to provide for a maximum of \$35 a week and inserted the provisions of **AB 826**, which provide for decreased employer contributions under merit rating. The combined amendments would have resulted in an increase of about \$35 million annually in benefits paid out, and in a decrease in employer contributions of about \$25 million annually. (A similar merit rating measure, **SB 313**, had already been passed by the Senate on March 28.) The committee deadlocked on reporting out the combined benefit increase and employer contribution decrease. On June 13, the Federation again attempted to get out of committee **AB 175**, as further amended, to provide a maximum benefit of \$30 and the same merit rating reductions, and again the committee deadlocked. **AB 175**, therefore, died in Assembly committee, as did **AB 826** and **SB 313**.

***AB 312**, which would also have increased benefits, was refused passage by the Assembly.

***SB 212**, originally a companion to ***AB 175**, died in Senate committee.

SB 919, which would also have increased benefits, died in Senate committee.

See also **SB 377**, under "Unemployment Dis-

ability Insurance," for another employer attempt to reduce unemployment insurance taxes.

***AB 176 (Dunn)**. Would have amended Section 1 and Section 57 of the Unemployment Insurance Act to eliminate the provisions specifically requiring an unemployed applicant to seek work actively on his own account. These provisions were put in during the 1947 legislative session. Identical to **AB 1618**. Both died in Assembly committee.

***AB 177 (Dunn)**. Would have amended Section 57 of the Unemployment Insurance Act to eliminate the waiting period. Died in Assembly committee. Similar measures, ***AB 1372** and ***SB 400** also died in their original committees.

***AB 178 (Dunn)**. Would have amended Section 57 (e) of the Unemployment Insurance Act to eliminate the provisions inserted in 1947 which disqualified seasonal workers from receiving unemployment benefits. Died in Assembly committee.

Similar bills, **AB 76**, **AB 2203** and ***SB 214**, also died in their original committees.

***AB 179 (Dunn)**. Would have amended Section 58 of the Unemployment Insurance Act to eliminate double disqualification and to reduce the disqualification penalty from 8 to 5 weeks. Died in Assembly committee.

AB 205 (Elliott and Lewis). Would have amended Section 7 and added Section 7.3 to the Unemployment Insurance Act so that agricultural labor and domestic service in a private home would have been covered. Also would have included news vendors over 18 years of age. Died in Assembly committee. See ***AB 163**.

***AB 303 (Morris and Evans)**. Would have amended Section 7 of the Unemployment Insurance Act to eliminate exemption as to charitable organizations. Died in Assembly committee. See ***AB 163**.

***AB 312 (McCollister)**. Would have added Section 54.1 to the Unemployment Insurance Act, increasing the weekly benefit amount by \$5.00 where a claimant has a dependent spouse and by an additional amount of \$2.50 for each of the first four children dependent upon the claimant. The Assembly refused passage, 40 to 36. (Assembly roll call No. 2.) See ***AB 175**.

AB 398 (Lewis, Hawkins et al). Would have

amended Section 7 of the Unemployment Insurance Act, to include agricultural and domestic labor in coverage and entitle them to receive benefits under the Act. Died in Assembly committee. See ***AB 163**.

***AB 482 (Lewis)**. Would have amended Section 7 of the Unemployment Insurance Act to extend coverage to agricultural employees. The Assembly refused to withdraw this bill from committee on June 17, 1949. See ***AB 163**.

***AB 669 (Berry)**. Amends Section 53 of the Unemployment Insurance Act to provide that unpaid wages due an employee shall be deemed wages in computing benefits payable under the Act. Also provides hospital benefits, as noted in "Unemployment Disability Insurance." Signed by the Governor, July 17, 1949, Chapter 951.

***AB 744 (George Collins et al)**. Adds Section 6.7 to the Unemployment Insurance Act to include public housing administration agencies under the Act. Signed by the Governor, July 20, 1949, Chapter 1039. See also ***AB 163**.

***AB 745 (George Collins et al)**. Would have amended Section 57 of the Unemployment Insurance Act to provide that an applicant would be considered able and available for work when he was willing to accept his regular or customary work. This would have prohibited the department from forcing an applicant to take unsuitable work. Died in Assembly committee.

***AB 803 (McMillan)**. Would have amended Section 7 of the Unemployment Insurance Act to extend coverage to domestic service in a private home. Died in Assembly committee. See ***AB 163**.

***AB 805 (McMillan)**. Would have repealed Sections 39, 39.1, 39.5, 40, 41, 41.1, 41.2, 41.3, 41.5, 42 and 47 of the Unemployment Insurance Act providing for merit rating. Died in Assembly committee.

***AB 806 (McMillan)**. Would have amended Section 7 of the Unemployment Insurance Act to extend coverage to public employees. Later amended to extend coverage to employees of non-profit organizations. Died in Assembly committee. See ***AB 163**.

***AB 896 (Brady)**. Amends section 90 of the Unemployment Insurance Act, to make more specific the procedure of the California Employ-

ment Stabilization Commission when making or changing rules or regulations, and transfers rule making powers from the California Employment Stabilization Commission to the Director of the Commission; protested regulations go to the Appeals Board. Signed by the Governor, July 25, 1949, Chapter 1225.

***AB 898 (Brady)**. Amends Section 204 of the Unemployment Insurance Act, to provide that a person eligible for unemployment disability benefits and unemployment benefits in the same benefit year may receive the maximum of both. This will result in the payment of additional benefits estimated at \$1,100,000, of which \$700,000 will be under the unemployment insurance program. Signed by the Governor, July 22, 1949, Chapter 1128.

***AB 1372 (George D. Collins)**. Would have amended Section 57 of the Unemployment Insurance Act to provide for benefits during the waiting period of one week if the unemployment continues beyond the first week. Died in Assembly committee. See ***AB 177**.

AB 1596 (Condon). Eliminates the 1½ times rule. See ***AB 898**, a similar measure which was signed by the Governor. **AB 1596** passed the Assembly (Assembly roll call No. 5), but died in Senate Committee.

AB 1608 (Condon). Would have amended Section 7 of the Unemployment Insurance Act to extend coverage to agricultural, domestic service, public, and non-profit employees. Died in Assembly committee. See ***AB 163**.

AB 1610 (Condon). Would have amended Section 13 of the Unemployment Insurance Act to eliminate the present provision which states that suitable employment is work for which an applicant is reasonably fitted. Further provided that suitable employment cannot be in any degree less favorable than the individual's usual occupation nor may the wages be less than the prevailing union scale. Died in Assembly committee.

AB 1618 (Condon). See ***AB 176**.

AB 2203 (McMillan). See ***AB 178**.

AB 2296 (Lindsay). As first proposed would have extended coverage to all public employees. As finally passed, this section will permit the governmental units to elect coverage under the

Act, provided a majority of the employees affected consent. Civil service and permanent tenure positions are specifically excluded from coverage, so relatively few employees will be affected. Signed by the Governor, July 21, 1949, Chapter 1101. See ***AB 163**.

AJR 19 (Burkhalter et al). Would have memorialized and petitioned Congress to appropriate sufficient funds for grants to states for administration of unemployment insurance and employment services. Killed in the Assembly, January 29, 1949.

***SB 211 (Miller and O'Gara)**. Would have amended Section 7 of the Unemployment Insurance Act to extend coverage to agricultural employees. Died in Senate committee. See ***AB 163**.

***SB 212 (Miller and O'Gara)**. Would have increased maximum weekly benefit payments from \$25 to \$40. Died in Senate committee. See ***AB 175**.

***SB 214 (Miller and O'Gara)**. See ***AB 178**.

***SB 400 (Johnson)**. Would have eliminated the waiting period. Died in Senate committee. See ***AB 177**.

SB 919 (Kraft). Purported to increase the maximum weekly benefit to \$30. Died in Senate committee. See ***AB 175**.

SB 928 (Kraft). Originally a bad bill, but amended so that in its final form provides that the Appeals Board, under the Unemployment Insurance Act, shall no longer exercise any administrative or rule-making functions and shall act purely as a judicial body, to hear appeals from the rulings of referees and to judge the reasonableness of administrative rules and regulations made by the chiefs of the Divisions of Public Employment Offices and Benefit Payments and the Division of Accounts and Tax Collections. The bill further recommends what will amount to a salary increase for referees, and increases the salaries of the two division chiefs from \$10,000 to \$12,000 per year. A similar increase is given to the members of the Appeals Board. Signed by the Governor, July 20, 1949, Chapter 1006.

SB 1319 (Busch). Would have amended Section 7 of the Act so as to provide for limited coverage for agricultural and charitable work-

ers commencing January 1, 1950, and added Section 57.2 to the Act requiring agricultural workers to accept any suitable work, even though it requires them to travel from the community in which they are residing. Amended to extend coverage to employees of non-profit organizations only. Passed the Senate, (Senate roll call No. 10), but died in Assembly committee. See ***AB 163**.

SB 1409 (Jespersen and Ward). Would have amended Section 7.6 of the Unemployment Insurance Act to provide for coverage of state employees. Coverage under disability insurance would be elective with the employee. Died in Senate committee. See ***AB 163**.

Bad Bills

At least sixty bad unemployment insurance bills were introduced in the 1949 session; in the section below, only those bills of major interest, or those which received some legislative action are reported.

AB 384 (Morris). Amends Section 58 of the Unemployment Insurance Act to disqualify perpetually an individual convicted of wilfully making a false statement to obtain benefits. Signed by the Governor, June 14, 1949, Chapter 624.

AB 444 (Butters et al). As originally presented, would have exempted from the Act, those engaged in services on a farm in the operation of a mowing machine and in connection with the baling of hay, regardless of whether such services are performed for the owner or tenant of such farm. As amended and passed, the scope of this amendment was considerably modified. (Assembly roll call No. 3.) Signed by the Governor, July 22, 1949, Chapter 1120.

AB 787 (Dolwig). Would have amended Section 7.2 of the Unemployment Insurance Act to exclude services performed by persons under fourteen. However, the employer might pay the minor's unemployment disability insurance contribution. Died in Senate committee.

AB 788 (Dolwig). Would have added Section 59 to the Unemployment Insurance Act to provide that no waiting period would be allowed and no benefit would be paid to an individual for any period with respect to which he was receiving or had received or was entitled to receive remuneration in the form of payments in

lieu of dismissal notice or of vacation allowances. Died in Assembly committee.

AB 789 (Dolwig). Would have amended Section 9.2 of the Unemployment Insurance Act to provide that partial unemployment benefits should last only 4 weeks, and further to provide that a partially employed person must accept temporary employment which would not affect his reemployment rights by his former employer, or else such partially unemployed person would be ineligible for benefits. Died in Assembly committee.

AB 826 (Geddes). Would have modified and lowered the contribution rate under the merit rating system. Died in Assembly committee.

AB 827 (Geddes). Amends section 39.1 of the Act to provide that no benefits shall be charged against any employer's account when the claimant voluntarily quit or is disqualified because of a discharge for misconduct. Signed by the Governor, May 9, 1949, Chapter 198.

AB 828 (Geddes). Would have prohibited the establishment of a valid claim where an individual is employed or self-employed and earns more than his benefit amount. Companion: **SB 374.** Both died in their original committees.

AB 829 (Geddes). Would have amplified disqualification under Section 58. Died in Assembly committee. See companion **SB 375.**

AB 830 (Geddes). Originally companion to **SB 379.** As last amended, would have amended Section 67 of the Unemployment Insurance Act to require that notice of a claim be given to all of claimant's employers during last six months. Died in Assembly committee.

AB 831 (Geddes). Would have amended Section 13 to broaden what constitutes suitable employment. Died in Assembly committee.

AB 1432 (Evans). Would have amended Section 7 of the Unemployment Insurance Act to exclude employees of certain non-profit organizations who are currently covered. Died in Assembly committee.

AB 1809 (Connolly). Would have amended Section 56 of the Unemployment Insurance Act so as to provide that where an employer locks out his employees as a result of concerted action by an association of employers, not only would his employees be disqualified on the

ground that they left their work because of a trade dispute, but all members of the unions which aided or assisted their locked-out fellow employees would be also disqualified. Companion: **SB 1269.** Both died in their original committees.

AB 1876 (Grunsky). Would have amended Section 454 of the Unemployment Insurance Act to allow disclosure of confidential information by the department. Died in Assembly committee.

AB 2299 (Hollibaugh). Would have amended Section 7 of the Unemployment Insurance Act to exclude employment in breeding and raising all kinds of livestock. Amended in the Assembly to limit exemption to livestock breeding and raising on a farm. Died in Senate committee.

AB 2628 (Dolwig). Would have amended Sections of the Act dealing with merit rating to allow payment of voluntary contributions; provided that even though an individual paid less than the maximum, for the purpose of computing the merit rating, he would be assumed to have paid the maximum at all times. Died in Assembly committee.

AB 2792 (Evans). Would have added Section 7.3 to the Unemployment Insurance Act, excluding from coverage of the Unemployment Insurance Act services performed in the employ of a non-profit corporation or organization providing aid or services to the needy aged, blind, etc. Died in Assembly committee.

SB 313 (Desmond). Would have modified and lowered the contribution rate under the merit rating system. Passed Senate (Senate roll call No. 3), but died in Assembly committee. See ***AB 175.**

SB 374 (Ward). See companion: **AB 828.**

SB 375 (Ward). Would have disqualified an individual under Section 58 unless the leaving of work was attributable to his employer; removed the presumption that an individual was not discharged for misconduct; and further amplified the disqualification. Passed the Senate with additional bad amendments, but died in Assembly committee, as did its companion, **AB 829.**

SB 377 (Ward). Through this bill employers attempted to reduce their unemployment insurance taxes. See under "Unemployment Disabil-

ity Insurance." The attempt failed. See also ***AB 175**.

SB 378 (Ward). Would have provided that no benefits paid to a claimant shall be charged to an employer's account if the individual was disqualified on the ground the individual was discharged because of misconduct and further provides whether discharged for this or for voluntary leaving no benefits shall be charged for the entire year following. Passed Senate, (Senate roll call No. 4), died in Assembly Committee, but companion measure **AB 827** passed both houses.

SB 379 (Ward). Would have required the department to furnish to the base period employer, upon request, the identity of the claimant's previous employers and the address of the claimant. Passed Senate (Senate roll call No. 5), but died in Assembly committee, as did its companion, **AB 830**.

SB 466 (Ward). Would have prohibited retroactive assessment where an individual believed he was exempt on the ground he was engaged in agricultural labor. Passed Senate (Senate roll call No. 8), but died in Assembly committee.

SB 901 (Kraft). The author amended into this bill many of his major proposals for wrecking the unemployment insurance system, including requiring the department to accept substandard job orders, to offer and re-offer to the same claimant a substandard job, and to disqualify the claimant if he refused to accept such a job. Required a claimant in an isolated location or a seasonal worker to move or change his type of work. Workers earning less than \$600 (instead of \$300 as at present) would be disqualified. Other bad amendments made. Passed Senate (Senate roll call No. 9), but died in Assembly committee.

SB 902 (Kraft). Would have amended Section 1 of the Unemployment Insurance Act so as to change the fundamental concept of the law and to prevent adequate compensation payments. Died in the Senate.

SB 905 (Kraft). Would have repealed existing Section 13 of the Unemployment Insurance Act defining suitable employment and enacted a new section which in essence would make any type of employment suitable and compel an in-

dividual to accept it at the risk of losing his benefits. Died in Senate committee.

SB 907 (Kraft). Would have repealed the existing provision as to employer's contribution rates and inserted a new one. Died in Senate committee.

SB 908 (Kraft). Pretended to be a bill dealing with merit rating, but in essence it was a bill setting up stricter eligibility qualifications and indirectly causing the denial of benefits to unemployed claimants. Died in Senate committee.

SB 910 (Kraft). Would have amended sections of the Unemployment Insurance Act to provide for payments bi-weekly instead of weekly, and increase the waiting period to two weeks. Died in Senate committee.

SB 911 (Kraft). Among other technical amendments with respect to merit ratings, would have allowed for voluntary payments by employers so that by such voluntary payment they would in the final analysis pay less because of a reduced rate. Died in Senate committee.

SB 915 (Kraft). Would have amended Section 45 of the Unemployment Insurance Act to require the employer to furnish each employee at the time of separation a statement of wages and to furnish a copy to the department within 40 days. Amended Section 57 compelling an employee to furnish a sworn statement to the department setting out the amount of wages received in each week; increased the minimum wage eligibility requirement from \$300 to \$600, and provided ineligibility unless total base period wages are equal to at least 1½ times the greatest amount of wages paid for any 13 consecutive week period in such base year. Died in Senate committee.

SB 916 (Kraft). As amended, would have amended Section 6 of the Unemployment Insurance Act to provide a benefit year which was computed on a base period of 52 weeks prior to the commencement of the benefit year, rather than on the quarterly basis presently existing. This would have adversely affected the benefit rights of employees. Amended Section 41 of the Act to grant additional merit rating benefits to employers, together with additional disqualifications to employees. Amended Section 45 of the

Act to make technical changes as to the types of reports to be filed by employers. Amended Section 57 of the Unemployment Insurance Act to disqualify a claimant who had earned an average of four times his weekly benefit during the week or 25 weeks immediately preceding the week he filed for benefits. Died in Senate committee.

SB 918 (Kraft). Would have set up a forfeiture of benefits in addition to disqualification where an individual was assessed a qualification, which forfeiture would be equal to the number of weeks of disqualification. Died in Senate committee.

SB 922 (Kraft). Provided that illegal receipt of benefits might be both a felony and a misdemeanor; and further provided that action by an employee which discouraged prospective employers from hiring him constituted a crime. Died in Senate committee.

SB 924 (Kraft). Would have amended Section 57 and other sections of the Unemployment Insurance Act so as to in effect effectively preclude any payment of benefits to individuals who are legitimately unemployed. Died in Senate committee.

SB 926 (Kraft). Would have added Section 59 to the Unemployment Insurance Act to in effect disqualify a claimant in every instance where he loses his work except by a showing of a wrongful discharge by an employer. In addition, it provided far more extensive disqualification for refusal of suitable employment, etc., after an individual has become unemployed. Died in Senate committee.

SB 927 (Kraft). Would have amended Section 67 of the Unemployment Insurance Act to prevent establishment of a benefit year prior to the expiration of an old year. Required that notice of filing of all types of claims be sent to all employers of the employee, required that upon the filing of a claim, notice of the potential charge to the employer be contained on the claim. Died in Senate committee.

SB 937 (Kraft). Would have directed the Department of Employment to accept all job or-

ders whether sub-standard or not. Required an applicant to furnish evidence of his qualifications for work for which he applies before being considered qualified to perform such work. Provided that where a job is offered to a claimant and he refuses it and is disqualified, it shall be re-offered each week until it is filled. Directed that applicant must be referred to suitable work in territories of other offices. Provided that the Department may accept financial aid from government or private sources for placing persons in employment. Other provisions would have enabled the Department to participate in strike-breaking activities, and effectively disqualify every claimant from work. Died in Senate committee.

SB 939 (Kraft). Would have repealed Sections 100, 101, 101.5, 101.6, 101.8 and 101.9 of the Unemployment Insurance Act and added Section 100 making it a misdemeanor to follow a course of conduct discouraging employment by prospective employers, directed the Department of Employment employees to furnish to the employer upon request full information as to the identity and whereabouts of the claimant. Reinforced in substance the penal provision of the sections to be repealed. Died in Senate committee.

SB 940 (Kraft). Would have provided that if an individual obtains one benefit payment as a result of a criminal violation of any provision of the Unemployment Insurance Act, all subsequent payments would be presumed likewise to have been illegally obtained. Died in Senate committee.

SB 1127 (Tenney). Would have amended Section 57 of the Unemployment Insurance Act to require claimant for benefits to take a loyalty oath. Further provided that any false statement made in obtaining benefits constituted perjury. Would have covered claimants for both unemployment and disability benefits. Died in Senate committee.

SB 1269 (Desmond). See companion: **AB 1809.**

UNEMPLOYMENT DISABILITY INSURANCE

This field constituted one of the major battlegrounds of the legislative session, and it was here that the Federation won its most spectacular victory in the passage of ***AB 669**, to provide for the payment annually of over \$10,000,000 in additional benefits to the three million workers covered by disability insurance by means of an \$8.00 a day hospital benefit up to a maximum of 12 days, beginning January 1, 1950.

Throughout the session efforts had been made to obtain some form of prepaid medical care and a liberalization of the disability insurance law to permit the distribution to the employees of the nearly \$200,000,000 reserve built up with employee contributions. The two attempts to obtain a prepaid medical plan are described under "Health Insurance."

Increased disability benefits were sought repeatedly throughout the session, and **AB 1594**, to provide for pregnancy benefits, did pass the Assembly on May 12. However, the Senate Committee on Social Welfare killed or refused to act on all such measures referred to it, and made its final and negative decisions on **SB 566** and **SB 820** on June 15 and 20, when adjournment had been planned for July 2. This Committee did approve, on June 15, **SB 377**, which would have increased benefits by about \$3,100,000 annually while saving employers \$16,000,000 annually at the expense of employees, as noted below. Such a proposal was completely unsatisfactory. Under these circumstances spokesmen for Governor Warren were considering reducing the employee contribution for disability insurance. Contributions, and hence profits, would have been similarly reduced for private insurance carriers of the voluntary plans.

The Federation, however, decided on a plan to propose from the Senate floor amendments providing for hospital benefits to a relatively minor unemployment insurance bill, ***AB 669**, which had been reported out from the Senate Committee on June 23. Senators Jesse Mayo and Hugh Burns, whose bills for hospital and pregnancy benefits had just been killed by the Senate Committee, were consulted, and it was agreed that Senator Burns would present the Federation's amendment. The Federation had already secured the consent of Assemblyman Berry, the original author of ***AB 669**. Speaker Pro Tempore, Harold J. Powers, and Governor Earl Warren were also consulted and supported the plan to the fullest extent.

The hospital benefits amendment was presented on June 28, five days before the close

of the session. Insurance and employer lobbyists in the Senate gallery and throughout the Capitol were caught by surprise. Despite their desperate efforts to block the measure and to obtain the support of all other Sacramento lobbyists, including veterans and religious organizations, the measure passed the Senate on June 30, was rushed to the Assembly, where it was passed on Friday, July 1, with only one day to spare. The reactionary forces were able to obtain only nine votes in the Senate and one in the Assembly against the measure.

In addition to efforts to liberalize benefits under the disability insurance law, the Federation sought to limit and reduce the scope of the voluntary plans. It waged a constant battle with the carriers of the private plans who sought to extend their jurisdiction, despite the fact that forty percent of all employees are now covered by voluntary plans. (See **SB 389** below.)

Since the state fund has been accumulating an average annual surplus, or profit, of approximately \$25,000,000 during the last three years, it is reasonable to assume that the profits of private plans have been almost as large. An attempt to obtain information on this matter was made in **SB 644**, but failed. However, administrative regulations to accomplish the same purpose are set for public hearing on August 24, 1949, and when finally issued will increase our knowledge of the private carriers' use and distribution of the workers' contributions.

The carriers have not only attempted to retain and increase their profits under the voluntary plans, but joined forces with employers in an attempt to grab the disability reserves built up through workers' contributions and use these reserves to reduce employer contributions under the unemployment insurance program. This attempt was embodied in **SB 377** described in detail below.

A third aim in the Federation's disability in-

insurance program was the elimination of the waiting period, as provided in **AB 1597**, and other bills. Efforts were successful in the Assembly, but failed in the Senate.

Good Bills

AB 82 (Geddes et al). Amended Section 252 of the Unemployment Insurance Act relating to unemployment compensation disability insurance. Permitted optometrists to prepare the certificate needed to support the first claim for disability benefits. Pocket-vetoed by the Governor.

***AB 112 (Fletcher)**. Would have amended Section 451 of the Act to eliminate the need for employer consent to a volunteer plan. Passed Assembly (Assembly roll call No. 6), but died in Senate committee. See also ***AB 156** and ***AB 666**, both good measures, and **SB 389**, a bad measure.

***AB 115 (Fletcher)**. Would have amended Section 201 of the Unemployment Insurance Act to include pregnancy up to a maximum of six weeks (42 days) as a compensable disability. Died in Assembly committee. See ***AB 669**.

***AB 156 (Rosenthal)**. Would have repealed Section 309 and Part 6 of the Unemployment Insurance Act dealing with disability insurance. Also repealed the provisions for voluntary plans under disability insurance. Died in Assembly committee.

***AB 181 (Dunn)**. Originally a skeleton bill. As amended May 11, 1949, would have increased the maximum unemployment disability benefit to \$35 a week. Amended again, June 3, to increase the maximum benefit to \$30 a week. The Assembly Committee deadlocked on this measure on June 13, and it died in committee. See ***AB 669**.

***AB 182 (Dunn)**. Would have reduced the waiting period from 7 to 4 days. Died in Senate committee. See **AB 1597**.

***AB 327 (Davis)**. Would have amended Section 151 of the Act to allow disability benefit payments under a trade dispute qualification if the Commission saw fit. Died in Senate committee.

***AB 666 (Berry et al)**. Would have amended Section 450 of the Unemployment Insurance Act to provide that in addition to the present

groups, a majority of the members of a labor organization might apply to the Commission for approval of a voluntary plan. Died in Assembly committee.

***AB 669 (Berry et al)**. Amends Section 53 of the Unemployment Insurance Act to provide that unpaid wages due an employee shall be deemed wages in computing benefits payable under the Act.

By amendment from the Senate floor (Senate roll call No. 12), provides a hospital benefit of \$8.00 a day up to a maximum of 12 days beginning January 1, 1950, for employees covered by the Unemployment Insurance Act.

Signed by the Governor, July 14, 1949, Chapter 951.

The following bills to obtain some increase in benefits had previously met with defeat:

***AB 115**, pregnancy benefits. Died in Assembly committee.

***AB 181**, to increase maximum benefits. Assembly committee deadlocked June 13, 1949.

AB 1594, pregnancy benefits. Passed Assembly May 12, but died in Senate committee.

AB 1595, to increase maximum benefits. Died in Assembly committee.

AB 2611, pregnancy benefits. Died in Assembly committee.

SB 566, hospital and pregnancy benefits. Senate committee deadlocked on April 27, and killed the bill on June 15.

SB 820, hospital benefits. Senate committee deadlocked on June 15, and killed the bill on June 20.

SB 377, to increase maximum benefit. Reported below under bad bills. Senate committee approved it on June 15, but it died still in committee.

***AB 895 (Brady)**. Would have repealed Section 208 of the Act, which prohibits a person from receiving disability benefits while receiving regular wages. Died in Assembly committee.

***AB 898 (Brady)**. Eliminates 1½ times rule. Signed by the Governor, July 22, 1949, Chapter 1128. See "Unemployment Insurance." ✓

AB 1592 (Condon). Would have amended Section 151 of the Unemployment Insurance Act to provide that a person might be eligible for disability benefits even though he had left work

because of a trade dispute. Died in Assembly committee.

AB 1593 (Condon). Would have amended Section 151 of the Unemployment Insurance Act to provide that an individual is eligible for disability benefits even though he made willful false statements to secure unemployment benefits. Passed Assembly (Assembly roll call No. 7), but died in Senate committee.

AB 1594 (Condon). As passed by the Assembly on May 12, would have amended Sections 201 and 203 of the Unemployment Insurance Act to provide for disability benefits during pregnancy up to a maximum of 42 days. Passed Assembly (Assembly roll call No. 8), but died in Senate committee.

AB 1595 (Condon). Would have provided a maximum weekly benefit of \$40. Died in Assembly committee. See ***AB 669**.

AB 1597 (Condon). Would have amended Section 205 of the Unemployment Insurance Act to reduce the waiting period for disability benefits from 7 to 4 days for illnesses and diseases, and to eliminate entirely the waiting period for accidents. As passed by the Assembly on May 17, it merely eliminated the waiting period in accident cases. In the Senate, it was amended, weakened, and re-referred to committee, where it died. Similar bills, ***AB 182** and ***SB 213**, died in their original committees.

AB 1598 (Condon). Would have amended Section 205 of the Unemployment Insurance Act to remove the present disqualification affecting seasonal workers now contained in Section 57e. Died in Assembly committee.

AB 1877 (Grunsky). Provides for the direct reimbursement of disability payments to the Fund where payments are found to be payable from other sources. Also provides that a claimant denied benefits under a voluntary plan must first appeal to the Appeals Board, and from the Board to the court. Signed by the Governor, July 28, 1949, Chapter 1393.

AB 2363 (McCollister). Would have added Section 151.4 to the Unemployment Insurance Act, to include non-profit, charitable employees under the disability insurance provisions only. Died in Assembly committee.

AB 2611 (Rosenthal and Gaffney). Purported

to amend Section 201 of the Unemployment Insurance Act to provide for six weeks benefit for pregnancy, but as drafted would have granted an indefinite amount of benefits during the entire pregnancy. Died in Assembly committee. See ***AB 669**.

***SB 213 (Miller and O'Gara).** Would have reduced the waiting period from 7 to 4 days. Died in Senate committee. See **AB 1597**.

SB 566 (Mayo and Brown). Would have provided those covered by disability insurance with hospital benefits up to \$7.15 per day, up to 31 days, and for disability benefits during pregnancy up to 42 days. Amended April 1, to provide hospital benefits up to \$9.00 per day, up to 10 days, and continued same pregnancy benefits. The Senate committee deadlocked on April 27, and killed the bill on June 15. It would have resulted in payment of about \$15,000,000 annually in benefits. See ***AB 669**.

SB 644 (Dillinger). A Federation amendment to this bill, offered in the Assembly Finance and Insurance Committee on June 27, would have required insurance companies to make public and report to the state their receipts, expenditures and profits on the private so-called voluntary disability insurance plans. The committee deadlocked on the amendment, 5 to 4, and the amendment died. **SB 644**, in final form, provides various technical amendments to the Unemployment and Disability Insurance Act. Signed by the Governor, July 29, 1949, Chapter 1441.

SB 820 (Hugh M. Burns). Would have increased the maximum weekly disability payment where an individual is hospitalized to double the amount presently received and, as amended, eliminated the waiting period for receiving this type of benefit. Would have resulted in payment of \$11,000,000 in benefits annually. The Senate committee deadlocked on June 15, and killed the bill on June 20. See ***AB 669**.

SB 832 (Dillinger). Provides for a proration of the charges against voluntary plans with respect to excess contributions. Further provides that a claim for disability benefits may be supported by a statement from an optometrist; also that an individual obtaining treatment outside the state may support his claim with a statement from a licensed practitioner of the other

state. Signed by the Governor, July 22, 1949, Chapter 1113.

Bad Bills

AB 3066 (Brady). Would have added Section 401.5 to the Unemployment Insurance Act to exempt an individual over the age of 65 from worker contributions without affecting his right of eligibility. Died in Assembly committee.

SB 377 (Ward). As amended and approved by the Senate Committee on Social Welfare, this bill would have provided that the reserves accumulated from the payment of employee contributions under the Act would be used to grant employers additional tax savings under the merit rating provisions of the Act, as amended by this bill. The reserve of approximately \$207,000,000 resulting from employee contributions prior to the effective date of the disability insurance law in 1946 would be used for this purpose.

According to the Department of Employment estimates, employers would have saved approximately \$16,000,000 annually in their contributions to the unemployment insurance program. Insurance carriers would also have obtained substantial gains under the bill. Private carriers and the state would have been reimbursed against any amounts collected in civil actions by disabled claimants. Another provision of the bill would have permitted insurance carriers to offset certain taxes with a savings to them of about \$600,000. Another provision of the bill would have incorporated the provisions of **SB 389** to provide that when 75 percent of the employees in a unit agree to a voluntary plan, all employees shall be covered by voluntary plan. This would have given additional benefits to the private insurance carriers.

The bill would also have provided for an increase in benefits paid out to employees of about \$2,000,000 annually by increasing maximum benefits to \$30 a week, and would also have eliminated the one and a half times rule to permit the maximum of both unemployment and disability benefits in one year, resulting in the payment of about \$1,100,000 annually to employees. (This was obtained in ***AB 898**.)

The bill was approved by the Senate committee on June 15, the same day it killed or refused to act on **SB 566** and **SB 820** to increase employee disability benefits. Since the bill pro-

vided savings to employers of at least \$16,000,000 annually, strengthened the position of the private carriers, all at the expense of the employee, and provided increased benefits of only \$3,100,000 to employees, it was obviously an unconscionable "grab" by employers. It died in the Senate after the Federation circularized all Senators. See ***AB 669**.

SB 386 (Desmond). Would have amended the Unemployment Insurance Act to allow for the extension of voluntary disability insurance plans. Passed Senate (Senate roll call No. 11), but died in Assembly committee. See **SB 389**.

SB 389 (Desmond). Would have compelled non-consenting individuals to be covered by voluntary instead of state plans so long as 75 percent of the unit consented. (Senate roll calls No. 6 and No. 7.) Amended in the Assembly to require the approval of 85 percent of the employees. Died in the Assembly, after the Federation circularized all Assemblymen. See also **SB 386** and **SB 1330**. The Federation's proposals with respect to the voluntary plans are given in **AB 112** and related measures.

SB 700 (Dillinger). Would have provided that, with respect to disability insurance benefits, rights of subrogation will exist with respect to other rights of compensation subsequently determined to exist with respect to the claimant. Died in Assembly committee.

SB 1071 (Desmond). Would have amended Section 207 of the Unemployment Insurance Act to: (1) prevent payments for occupational injury or diseases under the Act even though they are not compensable under the Workmen's Compensation Act; (2) provide for suspension of prompt payment if there is a question whether or not the individual may be covered under the compensation law or under this law; (3) grant rights of subrogation as to all legal actions of the claimant, and set up a presumption that any amount received by him is wages unless he could prove to the contrary. Died in Senate committee.

SB 1076 (Desmond). Would have assessed a premium tax against the state plan. Died in Senate.

SB 1291 (McBride). Would have amended Section 457 of the Unemployment Insurance Act to allow the employer to retain any refunds based upon good experience even though the

premiums were paid entirely by the employee. Died in Senate committee. See also **SB 377**.

SB 1292 (McBride). Would have amended Section 451 of the Unemployment Insurance Act, removing the requirement that voluntary plans cannot obtain risks adverse to the fund; so, in effect, to allow the voluntary plans to select only the most desirable type of risks. Died in Senate committee.

SB 1294 (McBride). Would have amended Sections 150, 201, and 207 of the Unemployment Insurance Act to prevent any payment for non-occupational sickness or injury whether compensable under the Workmen's Compensation Act or not, or whether less than the individual would receive under the Act. Died in Senate committee.

SB 1330 (Breed and O'Gara). Adds Section 450.1 to the Act to require group coverage on an industry-wide basis on a master voluntary plan approved by 75 percent of the employees. Applies particularly to casual and interchangeable employment, and was sought by the long-shore industry. Signed by the Governor, May 16, 1949, Chapter 271.

VETERANS

(Only major beneficial bills enacted into law are reported.)

Good Bills

AB 18 (Luckel et al). Amends the Veterans'

Home and Farm Purchase Act to permit California veterans to borrow from the state for construction loans. Prior to the enactment of this legislation a veteran could borrow only on a completed house. Signed by the Governor, May 27, 1949, Chapter 419.

AB 534 (McCollister). Grants exemption from registration fees and vehicle license fees to paraplegic veterans who have special cars. Signed by the Governor, July 27, 1949, Chapter 1270.

ACA 28 (McCollister). Establishes a standard system of taxation for homes owned by veterans to replace legislation passed in 1945 and declared unconstitutional as outside the scope of the legislature's power. Filed with the Secretary of State, June 10, 1949, Resolutions Chapter 149.

SB 1080 (Coombs et al). Provides for an additional bond issue of \$100,000,000 to continue the operation of the Veterans' Home and Farm Insurance Act. This bond issue will appear on the ballot at the general election of November, 1950. Signed by the Governor, July 25, 1949, Chapter 1267.

SB 1594 (O'Gara). Reenacts the legislation on veterans' tax exemption declared unconstitutional. This law becomes effective only when **ACA 28** is approved by the people. Signed by the Governor, August 1, 1949, Chapter 1538.

WATER AND POWER

While the state legislature cannot directly control the development of the Central Valley Project or of other federal irrigation and reclamation projects, it can encourage or impede construction and administration of such projects in several ways through (1) its power to memorialize Congress, (2) its power to legislate in regard to such matters as water rights and irrigation districts, and (3) certain powers and responsibilities granted the states under various federal acts. The Federation's primary concern is the development of a unified and integrated water and power system which will distribute and provide for the water needs of the entire state in a just and equitable manner, will prevent the development of monopoly, and will provide sufficient power at reasonable rates to maintain present and future industrial employment. To obtain these manifold purposes, construction and operation of projects should be by the Bureau of Reclamation.

Good Bills

AB 2471 (Lewis). Would have required a public utility, including the Pacific Gas and Electric Company, to rent its power transmission lines to the state or federal government for the transmission of publicly produced power and would also have outlawed the power company's stand-by charge to farmers. Died in Assembly committee.

AB 3098 (Niehouse). Amends Section 302 of the Public Utility District Act to permit such districts to make contracts with the federal government for the construction and use of water works, and provides that such contracts may run for more than 30 years. Signed by the Governor, May 18, 1949, Chapter 286.

AJR 2 (Lowrey and Coats). Requests Congress to pass the Engle-Scudder Bill providing for the inclusion in the Central Valley Project of the Tehama-Colusa conduit and the Chico conduit to facilitate the distribution of Sacramento River water in the counties in which it originates. Filed with the Secretary of State, January 29, 1949, Resolutions Chapter 58.

AJR 6 (Heisinger et al). Requests Congress to appropriate \$113,000,000 for the Central Valley Project. Filed with the Secretary of State, January 29, 1949, Resolutions Chapter 60.

SJR 6 (Drobish et al). Identical to **AJR 2**. Filed with the Secretary of State, February 3, 1949, Resolutions Chapter 66.

SJR 32 (Brown and Hulse). Urges Congress to authorize a suit in the U. S. Supreme Court to settle the rights of Arizona, Nevada and California to the Colorado River water. Filed with the Secretary of State, June 15, 1949, Resolutions Chapter 155.

Bad Bills

AB 401 (Lindsay). Would have provided for local water and power projects to be owned and operated by counties. Would have interfered with integrated development of the Central Valley Project. Passed Assembly (Assembly roll calls No. 23 and 24), but was killed in Senate, June 28, (Senate roll calls No. 16 and No. 17).

AB 2210 (Butters and Clarke). Would have amended Section 20527 of the Water Code, to provide that irrigation district voters be limited to freeholders. This would have prohibited any other registered voter in the area from voting, as now provided, and would have given large landowners a greater voice in irrigation district decisions. These provisions were stricken from the bill, and the new language merely clarified Section 21100 of the Water Code dealing with qualifications of "directors." In this form it was signed by the Governor, July 15, 1949, Chapter 918.

SB 823 (Sutton et al). Would have put the state legislature on record in favor of a multiple-purpose dam and other works to be built by the Army Engineers at Table Mountain and in the Butte Basin area. Would have interfered with the principle of integrated planning of the Central Valley water resources and encouraged continuation of the existing competition between two federal agencies. Killed in the Senate, April 14.

SB 1174 (Sutton). Would have required that lands in the Sacramento River watershed should have a prior right to water to supply their reasonable needs and that such water should be made available at a price based on actual cost at point of delivery less any credit accruing from project power revenues. This bill would have been impossible to administer, since it would have required a separate calculation of the actual cost of delivery of water to every individual water user. Furthermore, it would have destroyed the principle of equalizing costs to the various users of a given class. Died in Senate committee.

Other bills giving prior water rights to the county of origin were **AB 545 (Coats)**, **AB 785 (Coats et al)**, **SB 785 (Regan et al)**, **SB 786 (Regan)**. All died in their original committees.

SB 1231 (Crittenden). Similar to **SB 1232** and might in addition have required the supplier of irrigation water to supply water for all "beneficial" uses, including table water, etc. Died in Senate committee.

SB 1232 (Crittenden). Would have provided that contracts by an irrigation district with the United States for the delivery of water must provide enforceable water rights. This would have prohibited the United States Government from furnishing water on a rental basis as a public utilities service. Died in Senate committee.

WATER POLLUTION

Because of labor's deep concern with the whole development of water resources and water use, so tremendously important in California, it is desirable to indicate the major legislation passed.

AB 1492 (Dickey et al). Establishes a State Pollution Control Fund of \$1,000,000, and provides for loans to municipalities for sewage fa-

cilities. Signed by the Governor, July 28, 1949, Chapter 1551.

AB 1589 (Dickey et al). In final form, amends the Government Code to permit localities to make 40-year contracts with industrial establishments to reduce the pollution resulting from industrial waste. Further authorizes localities to accept aid from the U. S. Government on the initial and final stages of pollution control. Signed by the Governor, August 1, 1949, Chapter 1555.

AB 1934 (Dickey et al). Requires the Department of Public Works to investigate pollution and the possibilities of reclaiming polluted water and to require reports on water wells. The Department is to report annually to the legislature and the appropriate regional water pollution control board. Signed by the Governor, July 28, 1949, Chapter 1552.

AB 2034 (Dickey et al). Adds Division 7 to the Water Code providing for the control of water pollution. Establishes a State Water Pollution Control Board to be appointed by the Governor with power to allocate funds for administrative purposes to regional pollution boards. If the regional boards fail to act to control pollution, the Board may act or may direct the appropriate state agency to act.

Divides the state into nine districts and establishes regional water pollution control boards, to be appointed by the Governor. The regional boards are to cooperate and advise industry on pollution problems and may request appropriate federal, state and local authorities to enforce laws and regulations dealing with pollution and "prescribe requirements" on pollution. Any person proposing to discharge sewage or waste, except into a sewage system, must do so in accordance with regulations of the regional board. If the board finds the pollution continues, it shall hold hearings, make findings, order correction, and, if necessary, shall certify the continued existence of pollution to the county district attorney, who shall obtain an injunction prohibiting further pollution. Thereafter the court shall have jurisdiction. If the county district attorney fails to act, the State Attorney General shall act.

Signed by the Governor, July 28, 1949, Chapter 1549.

AB 2156 (Dickey et al). Amends and adds to

the Health and Safety Code relating to sewage and pollution control. Gives local health officers or the State Department of Public Health power to order peremptorily the abatement of sewage discharge resulting in contamination endangering health. Repeals previous provisions requiring a permit prior to discharge of sewage. When sewage or industrial waste discharge is not sufficiently bad to cause contamination, but will still cause pollution, or unsightliness or odors, the State Department of Public Health shall refer the water to the regional water pollution control board. Signed by the Governor, July 28, 1949, Chapter 1550.

WOMEN AND MINORS

Bills Marked * Were Sponsored by the Federation

Good Bills

AB 160 (Grunsky et al). Adds Section 1197.5 to the Labor Code to provide equal pay for equal work for women, but qualifying and weakening amendments by the Senate permit difference in pay between the sexes when difference is based on skill, seniority, working conditions, etc., or when the difference is made part of a union agreement. The measure will not help unions much in bringing up the scale of women members. Signed by the Governor, July 2, 1949, Chapter 804.

***AB 307 (Anderson).** Would have amended Section 1394 of the Labor Code to forbid the employment of minors under 18 years of age in agricultural, horticultural, viticultural, or domestic labor for more than eight hours in one day or more than forty-eight hours in one week. The present requirement forbids their employment under 16.

It also would have prohibited the employment of minors in those same occupations during the time the public schools are not in session or during other than the school hours. Died in Assembly committee.

AB 996 (Niehouse). Would have amended Section 72 of the Labor Code, to increase the per diem salary for members of the Industrial Welfare Commission from \$20.00 to \$25.00 per day. Further provided that members should be paid for time spent in traveling to and from sessions of the commission. Passed the Assembly, but was amended, weakened and then died in Senate committee.

AB 1173 (Conrad). In its original form, this bill would have permitted the Industrial Welfare Commission to amend wage orders on its own motion, and in addition shortened and changed various other sections of the Labor Code dealing with the formulation of wage orders. In its amended form, the bill is not objectionable. Signed by the Governor, July 29, 1949, Chapter 1454.

AB 1278 (McMillan). Would have raised the compulsory school attendance age from 16 to 17. Died in Assembly committee.

***AB 1370 (George D. Collins).** Would have amended Sections 1308 and 1309 of the Labor

Code to increase the minimum age of employment of minors from 16 to 18 years in dangerous or immoral employment. Died in Assembly committee.

Bad Bills

SB 1001 (Kraft). Amended Section 1352 of the Labor Code to exclude from the hours of labor provisions those who are graduate nurses in hospitals, clinical and biological laboratory technicians in cases of emergencies, or employees engaged in the initial harvesting and/or processing of perishable agricultural, horticultural or fish products. Pocket-vetoed by the Governor.

WORKMEN'S COMPENSATION

While not generally recognized in the commercial press or among the general public, the Federation's gains in the field of workmen's compensation were greater than in disability insurance and will probably result in the payment annually of additional benefits of close to \$10,000,000. The effort to liberalize the Workmen's Compensation law did not present itself in a spectacular or obvious fashion, and gains therefore were made through a clear and farsighted understanding of the complex and technical features of the law.

The Federation's principal achievement was a series of amendments to provide for the full and consecutive payment of temporary disability benefits, permanent disability benefits, life pensions, and survivors' pension benefits. During the 1947 legislative session the Federation was able to obtain some amendments in this direction, and the campaign was continued this year with the result that temporary disability benefits cannot be deducted from permanent disability benefits, temporary and permanent disability benefits cannot be deducted from life pensions, and temporary, permanent and life pensions cannot be deducted from survivors' pensions. As a result, certain features of the California Workmen's Compensation law are now among the best in the country. Key bills in obtaining this liberalization were ***AB 123**, ***AB 155**, ***AB 424** and **AB 1805**.

Since temporary disability benefits are no longer deductible from permanent disability benefits, there will be less monetary incentive for the employer or carrier to give the employee complete and adequate medical treatment immediately following his accident. However, the law requires full medical care, and employees and their unions should press for their full rights. ***AB 191** would have helped in this matter, but was un-

fortunately killed in the Senate, after Assembly approval.

In addition, the Federation was successful in obtaining an outright increase in certain types of benefits. **AB 1805**, just mentioned above, also provides that the death benefit for a widow with one or more dependent children shall be increased by 25 percent up to a maximum of \$7500. By ***AB 2890**, the maximum duration of permanent benefits in severely disabled cases was extended from a maximum of 240 weeks to 400 weeks. The allowance for burial expenses was also increased from \$300 to \$400 by ***AB 258**. Increases in benefits or new benefits were obtained in several other bills, including ***AB 172**, ***AB 231**, and ***AB 847**.

A third aim of the Federation, as provided in ***AB 154**, was to eliminate the seven-day waiting period during which no cash compensation benefits are paid. The failure to grant cash compensation during the first seven days means that the worker must bear a substantial share of the wage loss due to an accident recognized under the law as compensable. The Federation was successful in obtaining the payment of temporary disability benefits during the first seven days of disability in cases lasting over 49 days,

and it is expected that this amendment alone will result in hundreds of thousands of dollars annually in benefits.

In most instances the amendments liberalizing benefits apply only to cases based on injuries arising after the effective date of the acts.

Federation efforts also resulted in the simplification to some extent of procedures before the Industrial Accident Commission and in the reduction for employees of some of the medical and legal expenses connected with retaining the award when it is contested by the employer or insurance carriers. See ***AB 164**, ***AB 166**, ***AB 185** and **AB 901**.

In view of these gains, the legislature's failure to increase the minimum and maximum disability benefits is not surprising. Through ***AB 125** the Federation attempted to increase the minimum compensation from \$9.75 to \$15.00 and to increase the maximum compensation from \$30 to \$40, thus raising benefits so as to keep pace with the general increase in wages and living costs. The proposal was approved by the Assembly, March 28, early in the second half of the session, but repeated efforts to get it out of the Senate Committee on Labor were unavailing, and an attempt to get an increase by amendment of ***AB 172** from the floor on June 29, three days before the close of the session, was also defeated in the Senate.

Opposition to the Federation's workmen's compensation program consisted of outright disapproval of any obvious attempt to liberalize benefits, coupled with the general argument that times were bad and that employees could better afford the economic burden of accidents than could employers or insurance carriers. The opposition also sought to shift the cost of the program from employers and carriers to the state by placing a heavier burden on the Subsequent Injuries Fund. And finally, the opposition sought to weaken the Commission, first, by depriving it of its legal staff, thus preventing an effective and intelligent prosecution of cases, and secondly, by seeking to bypass the Commission by giving final authority to referees, which would have resulted in a greater number of determinations by the courts, which are not thoroughly informed on the nature of the highly

technical and complex Workmen's Compensation Law.

Good Bills

***AB 123 (Maloney)**. Repeals any credit provisions for temporary disability payments as far as permanent disability ratings are concerned. As a result, those claimants awarded a permanent disability rating which is 70 percent or greater will not be penalized by having deducted from such rating all temporary payments in excess of 104 weeks. By Assembly amendment, the benefits of this amendment apply only to injuries occurring after the law becomes effective. (Assembly roll call No. 9.) Signed by the Governor, May 2, 1949, Chapter 107.

***AB 125 (Maloney)**. Would have increased the minimum weekly compensation from \$9.75 to \$15 and the maximum weekly compensation from \$30 to \$40. The basic theory of the Workmen's Compensation law requires that a worker be reimbursed for 61.75 percent of the wage loss due to an injury, but the maximum limitation on benefits means at the present time that all workers receiving over \$48.50 are getting less than 61.75 percent reimbursement for wage loss. By November, 1948, 78 percent of all workers receiving compensation benefits had average weekly earnings of over \$48.50, their average wage being \$60.50, and were therefore receiving a disproportionately small reimbursement for wages lost due to accidents.

***AB 125** was passed by the Assembly on March 28 by a 44 to 26 vote (Assembly roll call No. 10), but was tabled in the Senate Committee on Labor on April 21, 1949. The same day the Senate Committee on Labor tabled ***SB 106**, which, in its original form, was a companion to ***AB 125**, and would have increased the maximum benefit to \$40. ***SB 106** was then amended to increase the maximum to only \$35.00, but approval was still withheld by the Senate Committee on Labor. On June 29, 1949, the Federation made another attempt to increase the maximum workmen's compensation benefit to \$35.00 a week in an amendment offered from the floor of the Senate to ***AB 172**. The amendment was killed by a 15 to 19 vote. (Senate roll call No. 13.) The passage of this amendment might have been secured, but the Federation preferred to use its influence to obtain the passage of ***AB 669** providing for hospital benefits under disability insurance.

Another Federation effort, ***AB 313**, to increase temporary and permanent benefits by adding \$5.00 per week for each of the first two dependents died in the Assembly, April 28.

***AB 125** died in Senate committee.

***AB 126 (Maloney)**. As amended, would have repealed Section 4702 of the Labor Code and added Section 4702 to the Labor Code to provide for \$15,000 for death benefits in the case of total dependency, and in the case of partial dependency \$7,500, and a \$20 a week benefit for each surviving dependent minor child. This and its companion, ***SB 575**, both died in their original committees.

***AB 154 (Rosenthal and Bennett)**. Amends Section 4652 of the Labor Code, relating to the waiting period under the Workmen's Compensation Act. Disability payment shall be paid for disability suffered for any day or fraction thereof after the employee leaves work as a result of the injury, provided the length of the period of disability is in excess of seven days. Previously no payments were received for the first seven days of injury.

As amended and passed by the Assembly on May 12, it eliminates the waiting period in cases in which disability lasts over 49 days. See also **AB 2646**.

It was amended again in the Senate, and in final form eliminates the waiting period when temporary disability lasts more than 49 days. In permanent disability cases, the benefit is due one week after the injury becomes permanent, or one week after temporary disability payments stop, whichever date occurs first.

Signed by the Governor, June 18, 1949, Chapter 705.

***AB 155 (Rosenthal and Bennett)**. Amends Section 4650 of the Labor Code, dealing with workmen's compensation, to provide that when a temporary disability becomes permanent the permanent disability payments may be computed or payable immediately following the 7 days after the injury became permanent. This is the same improvement obtained in the last clause of ***AB 154**. Signed by the Governor, May 25, 1949, Chapter 408.

AB 164 (Gaffney and George D. Collins). Amends Section 4600 of the Labor Code relating to workmen's compensation to provide that

in a contested claim before the Commission the employee, or descendants of the deceased employee, shall be reimbursed by the employer or insurance carrier for reasonable expenses for X-rays and medical reports in accordance with the rules of practice and procedure of the Commission. Signed by the Governor, June 24, 1949, Chapter 751.

***AB 165 (Gaffney and George D. Collins)**. Would have amended Sections 4600 and 4601 and repealed Sections 4602 and 4603 of the Labor Code to allow an injured workman free choice of his own physician, at the employer's expense. Died in Assembly committee. See also **AB 1059**.

***AB 166 (Gaffney and George D. Collins)**. Amends Sections 5410 and 5804 of the Labor Code relating to workmen's compensation, to permit an injured employee to institute proceedings for the collection of compensation within 5 years (260 weeks). The present limit is 245 weeks. Signed by the Governor, June 16, 1949, Chapter 677.

***AB 169 (Meyers, Gaffney, and Berry)**. Amends Section 4553 of the Labor Code dealing with workmen's compensation to increase compensation award due to the serious and willful misconduct of the employer from the present maximum of \$2,500 to \$4,500. Amended in Assembly to a maximum of \$3,750. Signed by the Governor, June 1, 1949, Chapter 785.

***AB 172 (Dunn)**. Amends Section 3208 of the Labor Code dealing with workmen's compensation to provide that the term "injury" shall include eye glasses and medical braces of all types. (Assembly roll call No. 15.) A Senate amendment restricts the repair or replacement of eyeglasses to cases involving an injury of over 7 days' disability. Signed by the Governor, July 28, 1949, Chapter 1409.

A Federation amendment to this bill offered from the floor of the Senate on June 29, 1949, would have increased the minimum benefit to \$15.00 and the maximum to \$35 a week. This amendment was killed by a 15 to 19 vote. (Senate roll call No. 13.) See ***AB 125**.

***AB 185 (Beck)**. Amends Section 5801 of the Labor Code relating to attorney's fees under the Workmen's Compensation Act to provide that the Industrial Accident Commission

shall provide an award for the payment of attorney's fee incurred by an employee as a result of an unreasonable or frivolous appeal to the courts by the employer or insurance carrier. (Assembly roll call No. 11.) The original Federation bill was stronger, but was weakened by amendments in the Senate. Signed by the Governor, May 13, 1949, Chapter 223.

***AB 186 (Beck).** Would have provided that in third party suits by the employer alone, the attorney's fee should not be deducted from the amount due the employee. This and its companion, ***SB 140**, both died in their original committees. See ***AB 185**.

***AB 187 (Beck).** Would have provided that in third party suits by the employee alone, the court should determine the attorney's fee payable to the employee's attorney which would be deducted from the employer's portion. This passed the Assembly (Assembly roll call No. 12), but it and its companion, ***SB 139**, both died in Senate committee. See ***AB 185**.

***AB 191 (Ralph C. Dills).** Would have added Section 122.5 to the Labor Code providing for the appointment by the Industrial Accident Commission of a medical director and assistants licensed to practice medicine in this state. The medical director's salary was set at not less than \$10,000, and that of the assistants at not less than \$7500. This would have provided an adequate competent full-time medical staff for the Commission. Passed the Assembly on May 6, (Assembly roll calls No. 13 and No. 14), but died in Senate committee.

***AB 230 (Fleury and Moss).** Would have amended Section 4656 of the Labor Code so that the aggregate disability payments for a single injury causing temporary disability should not exceed five times, instead of four times as at present, the average annual earnings of the employee, and repealed the present 240 weeks maximum. Died in Assembly.

***AB 231 (Fleury and Moss).** Amends Section 4455 of the Labor Code. Provides that if the probable earnings at the age of 21 years for anyone under that age cannot be reasonably determined, his average weekly earnings shall be taken as \$46.16, instead of the present \$32.61. Signed by the Governor, June 1, 1949, Chapter 484.

***AB 258 (Caldecott et al).** As first proposed, would have increased burial expenses from \$300 to \$600. As amended in the Assembly, increases burial expenses to \$400. Signed by the Governor, May 19, 1949, Chapter 321.

AB 310 (Price). Would have amended Section 4605 of the Labor Code so that all medical records, pictures, or other pertinent data in the hands of, or under the control of the employer or his representative should be made available to any private physician consulted by an employee, without cost to the employee. Died in Assembly committee.

***AB 311 (McCollister).** Would have added Section 5410.1 to the Labor Code, providing that nothing heretofore or hereafter enacted should bar the right of any injured employee to institute proceedings at any time after the date of the injury upon the ground that he is in need of medical treatment for such injury. Died in Assembly committee.

***AB 313 (McCollister).** Would have added Section 4664 to the Labor Code so that in addition to any other benefit provided in an injury causing a compensable temporary or permanent disability, the injured employee would be entitled to a payment of \$5.00 per week for each of the first two of his dependents during the period of the disability. Died in Assembly. See ***AB 125**.

***AB 324 (Bennett).** Prior to amendment, would have provided that there shall be deducted from an individual's compensation only amounts actually received from federal or state funds, instead of presently deducting what he might receive. The amendments made to ***AB 324** in the Assembly on May 23 were not sponsored by the Federation and would have resulted in a cumbersome and confusing procedure for handling certain types of cases. The original purpose of ***AB 324** was achieved through ***AB 847**, which passed the Assembly on June 1. ***AB 324**, as amended, was re-referred to committee by the Assembly. See ***AB 847**.

***AB 382 (Condon).** Would have extended the statute of limitations in workmen's compensation cases to a uniform three years. Died in Assembly committee. See ***AB 166**.

***AB 412 (Brown et al).** Would have extended the jurisdiction of the Industrial Accident Com-

mission from 245 weeks to five years. Died in Senate committee. See ***AB 166**.

***AB 413 (Brown et al)**. Would have provided that interest was payable on the awards of the Industrial Accident Commission from the date the amount should have been paid, instead of from the date of the award. Died in Assembly.

***AB 424 (McCarthy, Rumford, and Beck)**. Prior to the passage of this bill, under the Workmen's Compensation Act, if death occurred more than 12 months after an injury, a deduction of all compensation paid prior to the death was made from the death benefit.

***AB 424** removes this provision, thus eliminating any credit for temporary disability where death occurs as a result of the injury. The provisions of this bill apply only to death occurring after the effective date of this amendment. Signed by the Governor, May 24, 1949, Chapter 410. See also **AB 1805**.

***AB 804 (McMillan)**. Died in Assembly committee. See similar measure, **AB 2890**, which was passed.

***AB 847 (Gaffney and George D. Collins)**. Amends Section 4753 of the Labor Code dealing with the Subsequent Injuries Fund to provide that compensation awards may be reduced only by the amount an employee has actually received as an injury benefit from other federal or state funds. At the present time reductions are made for the amount which the employee is entitled to receive. Signed by the Governor, July 1, 1949, Chapter 786.

AB 901 (Beck). Provides for the determination and payment of attorney's fees in third party suits. Signed by the Governor, May 3, 1949, Chapter 120.

AB 1059 (Condon). As first presented, would have given the Commission power to select a physician to treat the employee at the expense of the employer if the Commission found the employee was honestly dissatisfied with the employer's physician. Despite amendments, this bill died in Assembly committee. See also ***AB 165**.

AB 1220 (Burkhalter). As amended, requires the Industrial Accident Commission to make its award within 30 days from the date of the sub-

mission of the application for decision. Signed by the Governor, July 29, 1949, Chapter 1455.

***AB 1371 (George D. Collins)**. Would have provided full workmen's compensation coverage to all workers, except news vendors. Extends full coverage to casual, agricultural, non-profit and domestic employees. Passage refused by the Assembly. See also **SB 1097**, which died in Senate committee.

AB 1805 (Berry et al). In final form, provides that the death benefit for a widow with one or more dependent children shall be increased by 25 percent up to a maximum of \$7500. Provides that disability indemnity shall not be deducted from and shall be paid in addition to death benefit when the original injury resulting in death (rather than the disability resulting in death) occurs after the effective date of this new act. Signed by the Governor, July 28, 1949, Chapter 1414. See also ***AB 424**.

AB 2073 (Moss). Permits chiropractors to act as physicians under the Workmen's Compensation Act. Signed by the Governor, June 14, 1949, Chapter 644.

AB 2172 (Burkhalter). Would have added Section 4606 to the Labor Code, to provide that the Industrial Accident Commission should adopt and enforce fee schedules for doctors treating employees under the act. Died in Assembly committee.

AB 2328 (Rosenthal). Would have amended Section 5304 of the Labor Code to provide that the Industrial Accident Commission might adopt a schedule of fees to be paid for medical, surgical and hospital treatment under workmen's compensation. Died in Assembly committee.

AB 2344 (Dolwig). Amends various sections of the Labor Code to allow governmental employees to receive a leave with salary instead of payment of workmen's compensation for a maximum of one year. Signed by the Governor, July 22, 1949, Chapter 1143.

AB 2434 (Condon). Would have amended Sections 4653, 4654, 4658, and 4659 of the Labor Code to eliminate the old 95%-65% rule in computing workmen's compensation benefits and to provide that such benefits shall be 66⅔ of actual earnings. Died in Assembly committee.

AB 2480 (Morris). Amends Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol. Provides that the presumption of heart trouble or pneumonia holds unless controverted by evidence. Signed by the Governor, June 17, 1949, Chapter 693.

AB 2481 (Morris). Amends Section 3212 of the Labor Code, to provide that presumption as to hernia, heart trouble and pneumonia among members of the police and fire departments, and other firefighters, and active law enforcement officers of the Fish and Game Division, is conclusive in the absence of evidence sufficient to overcome such a conclusion. Signed by the Governor, June 18, 1949, Chapter 730.

AB 2645 (Condon). Would have established a conclusive presumption that an individual has knowledge of safety orders, directions, etc. Amended to apply to employers only and only to orders sent to the employer. Died in Assembly.

AB 2646 (Condon). As first presented, would have eliminated the waiting period entirely. As amended April 18, would have eliminated the waiting period in cases in which the disability lasted more than 42 days. As amended, May 2, it is the same as ***AB 154**. **AB 2646** passed the Assembly on May 17 and died in Senate committee. See ***AB 154** and ***AB 155**.

***AB 2890 (Meyers).** Extends duration of permanent disability benefit payments for those with over 60% permanent disability from 240 weeks maximum to 400 weeks on a graduated basis. Signed by the Governor, August 2, 1949, Chapter 1583. Similar to the Federation's ***AB 804**.

***SB 106 (Regan).** Originally a companion to ***AB 125** to increase maximum benefit to \$40.00. Amended to increase maximum benefit to \$35.00. Tabled in Senate committee on April 21, 1949. See ***AB 125**.

***SB 107 (Regan).** Died in Senate committee. See companion ***AB 123**, which was signed by the Governor.

***SB 139 (O'Gara and Miller).** Died in Senate committee. See companion, ***AB 187**.

***SB 140 (O'Gara and Miller).** Died in Senate committee. See companion, ***AB 186**.

***SB 141 (O'Gara and Miller).** Died in Senate committee. A companion, both originally and as amended, to ***AB 185**, which, as amended, was signed by the Governor.

***SB 399 (Johnson).** Died in Senate committee. See companion ***AB 155**, which was signed by the Governor.

SB 505 (Watson). Would have amended Section 3212 of the Labor Code to include under the hernia, heart and pneumonia provisions of the Workmen's Compensation Act members of the Bureau of Patrol and Law Enforcement of the Division of Fish and Game of the Department of Natural Resources. Died in Senate committee. See **AB 2481**.

***SB 575 (Regan).** Died in Senate committee. See companion, ***AB 126**.

***SB 578 (Keating).** Originally a companion to ***AB 154** and would have eliminated the waiting period in injury cases. As amended on June 3 and 6, provides the same workmen's compensation coverage to minors and adults drafted for firefighting service as is now provided by regular volunteer firefighters. Signed by the Governor, July 22, 1949, Chapter 1148.

***SB 579 (Keating).** Died in Senate committee. See companion ***AB 172**, which was signed by the Governor.

SB 1097 (Busch et al). Would have extended workmen's compensation coverage to agricultural workers and household domestic service. As amended in the Senate, agricultural workers working less than 15 successive days would still have been denied full coverage. Died in Senate committee. See also ***AB 1371**.

Bad Bills

AB 402 (Smith). Would have provided that the presumption in the firemen's heart-pneumonia bill shall be applicable in heart cases only if the individual had five years' service prior to the commencement of the presumption. Died in Assembly committee.

AB 861 (Dolwig). As amended, provided for the proration of benefits paid for silicosis among the claimant's past employers who could be considered liable for the silicosis condition. Pocket-vetoed by the Governor.

AB 1677 (Hollibaugh). Would have added

Section 1873 to the Code of Civil Procedure to permit an expert to refuse to testify unless he had agreed to do so. This would have permitted a doctor to refuse to give testimony in workmen's compensation cases. Died in Assembly committee.

AB 1731 (Grant). As amended, gives the Industrial Accident Commission power to determine and allow as a lien against workmen's compensation benefits any unemployment benefits erroneously paid an employee for a period he was unable to work and for which he received temporary total disability payments under this division. The original language of this bill was much stronger, and would have allowed liens for any type of workmen's compensation payments. Signed by the Governor, June 1, 1949, Chapter 488.

SB 683 (Ward). Would have repealed the existing provisions providing for the establishment of permanent disability ratings under the Workmen's Compensation Act; specified rigid ratings for specific types of injuries, most of which constituted substantial reductions on the present ratings. Died in Senate committee.

SB 849 (Desmond and Ward). Would have eliminated the old 65-95% rule, and provided that only a dependent widow might receive a maximum death benefit. Died in Senate committee.

SB 880 (Desmond and Ward). Would have abolished the legal bureau of the Industrial Accident Commission and transferred to the Attorney-General and persons assigned by him all power to defend and prosecute orders of the Commission; would have made more difficult and uncertain the implementation of the orders, decisions and awards of the Commission. Died in Senate committee.

SB 881 (Desmond and Ward). Would have amended Section 3202 of the Labor Code to provide that in reviewing cases the courts should not apply a policy liberal to the employees in interpreting or weighing evidence. Died in Senate committee.

SB 883 (Desmond and Ward). Would have amended Sections 3208 and 4663 of the Labor Code and added Sections 3600.5 and 3600.6 to

the Code to narrow the definition in the Workmen's Compensation Act of "injury" and thereby limit or eliminate an individual's rights to benefits for a disability resulting from occupational diseases. Died in Senate committee.

SB 886 (Desmond and Ward). Would have conferred on referees or a panel of the Commission final power to decide cases, without control over them by the Commission, and would have provided for the transcription of all oral testimony. Procedures in workmen's compensation would have been made more formal. Decisions would have been less uniform, and accident compensation policy would have been determined more frequently by the courts. Passage refused by the Senate.

MISCELLANEOUS

Bills Marked * Were Sponsored by the Federation

Taxation

The principal problems in this field were increased taxes on cigarettes, liquor and horse racing. Senator Collier's measure, **SB 1404**, to increase taxes on horseracing received the most serious consideration by the legislature, but in the end no tax increases in these fields were voted. This was in accord with the Federation's position.

The Federation was opposed to increases in the sales tax, but such increases, along with increases in corporation and income taxes, did occur since the legislature failed to act affirmatively to amend the tax laws to continue for another year the reduced tax rates put into effect during the war. The Federation was unable to obtain any support in its opposition to increases in the sales tax and its protests were unavailing.

On two tax measures the Federation was successful in making its position felt. ***AB 3106**, to exempt from the sales tax the sale of ships and the materials used in the construction and repair of ships was introduced under Federation sponsorship by Assemblyman Maloney and was signed by the Governor, July 25, 1949, Chapter 1204. (Assembly roll call No. 28 and Senate roll call No. 19.) This measure will materially assist in reviving the California ship construction industry. The other measure was **AB 3166 (McMil-**

lan), which would have provided for the licensing and taxing of traveling amusement shows. Due to Federation efforts, this measure died in Assembly committee.

Others

(Covers apprenticeship, civil procedure, credit unions, fair trade acts, full employment, hours of work for special crafts, prisons and other matters.)

Good Bills

***AB 127 (Maloney).** Would have provided that apprenticeship instructors be union journeymen in the crafts which they teach. Died in Assembly committee.

AB 449 (Caldecott). Amends Sections 117 and 117r of the Code of Civil Procedure so that claims coming within the jurisdiction of small claims action shall be increased from \$50 to \$100. Signed by the Governor, May 27, 1949, Chapter 451.

AB 689 (Huyck et al). Would have appropriated \$10,000,000 for allocation to cities, counties, cities and counties and school districts to develop a comprehensive statewide program of community recreation. Approved, as amended, by Committee on Municipal and County Government. Died in Assembly Committee on Ways and Means.

AB 1462 (Waters et al). Would have amended sections of the Code of Civil Procedure and the Government Code to reduce fees charged litigants in civil actions for trial by jury. Died in Senate committee.

AB 1702 (Evans). Would have amended Section 9 of the Civil Code providing for the board of directors of a bank to close on Saturday for the transaction of business. It and its companion, **SB 1608**, both died in their original committees.

AB 2032 (Condon). Would have required the Governor to submit to the legislature a state production and employment budget for the pur-

pose of promoting full employment. Also established a Joint Legislative Committee on the Production and Employment Budget. Died in Assembly committee.

AB 2420 (Ralph C. Dills). Would have provided a forty-hour week, eight-hour day, for pharmacists, overtime to be worked in an emergency and paid for at double time; wages to be computed on a calendar week basis so that Saturday and Sunday work would be paid at double time in most instances. Died in Assembly committee.

AJR 4 (Maloney et al). Requests the Secretary of the U. S. Navy and the Maritime Commission to place orders for shipbuilding in West Coast yards. Filed with the Secretary of State, January 11, 1949, Resolutions Chapter 18.

AJR 17 (Condon et al). Memorializes Congress to enact legislation providing for a minimum wage of 75 cents an hour. Filed with the Secretary of State, April 6, 1949, Resolutions Chapter 93. (Senate roll call No. 20.)

SB 627 (Jespersion et al). Removes restrictions on size of credit union loans, and persons to whom loan may be made. Signed by the Governor, June 9, 1949, Chapter 608.

Bad Bills

SB 421 (Regan et al). As amended, permits prison industrial or agricultural enterprises to have a gross annual production up to \$225,000. The limit has been \$175,000. Signed by the Governor, July 28, 1949, Chapter 1379.

AB 430 (Connolly). Would have empowered the Attorney General and any district attorney in the state to institute actions against violators of the Business and Professions Code. Applied particularly to violations of the Fair Trade and Unfair Trade Practices Acts. Further required district attorneys to prosecute vigorously any injunctions issued upon a complaint of violation of the Fair Trades Act. This bill was sought by the Retail Grocers' Association and was opposed by most district attorneys in the state. The Senate refused passage.

TABULATED VOTE ON 20 SENATE ROLL CALLS

Black ● Indicates a Good Vote. Red ● Indicates a Bad Vote. — — Indicates Absent or Not Voting.

Limitation of space prevents compilation here of all roll calls affecting the welfare of labor. The votes listed cover a significant range of subjects of special interest to workers. These particular roll calls were chosen in an effort to give as accurate a picture as possible of the various senators toward a representative list of problems. An analysis of the bills shown here may be found in the body of the report.

The large number of bills which could not be used in the Senate tabulation because of unanimous votes include: *AB 106, *AB 154, *AB 155, *AB 164, *AB 169, *AB 172, *AB 185, *AB 231, *AB 258, AB 384, *AB 424, *AB 667, *AB 668, *AB 744, AB 807, *AB 896, *AB 898, AB 901, AB 1190, AB 1731, AB 1805, AB 2890, *SB 578.

SENATORS	PARTY	Labor Unions		Unemployment Insurance								Disability Insurance		Workmen's Comp.	State Employees		Water and Power		Miscellaneous							
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20					
		Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	GOOD	BAD	ABSENT	
		SB 624—Gives the State Conciliation Service power to intervene in a dispute on its own motion. Vote on passage. SB 1066—"Hot Cargo". Vote on passage. SB 313—Reduces employer unemployment insurance taxes under merit rating. Vote on passage. SB 478—Reduces charges against employer's account for benefits paid worker following his disqualification for discharge or voluntary quitting. Vote on passage. SB 379—Requires disclosure to base period employer of previous employers of unemployment insurance claimant. Vote on passage. SB 389—Extends coverage of voluntary disability insurance plans. Vote on passage. SB 389—Vote on reconsideration. SB 466—Prohibits retroactive assessment of unemployment insurance taxes in connection with agricultural labor. Vote on passage. SB 901—Major bill to turn unemployment insurance system into a mere employment service. Vote on passage. SB 1319—Extends unemployment insurance coverage to employees of non-profit organizations. Vote on passage. SB 386—Extends coverage of voluntary disability insurance plans. Vote on passage. AB 669—Provides for \$8.00 a day hospital benefit up to 12 days under disability insurance. Vote on passage. AB 172—Amendment to increase workmen's Compensation benefits to \$15 minimum and \$35 maximum. Vote on amendment. SB 1533—Eliminates prevailing wage concept in determining wages of state employees. Vote on reconsideration. SB 1533—Final vote on passage. AB 401—Provides for county water and power projects. Vote on passage. AB 401—Vote on reconsideration. SB 157—Governor's compulsory health insurance bill. Motion to table motion to withdraw from committee. AB 3106—Exempts ships and ship construction and repair materials from the sales tax. Vote on passage. AJR 17—Requests federal minimum wage of 7 1/2 cents an hour. Vote on passage.																								
Abshire	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	12	6		
Breed	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6	9	5		
Brown	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	14	2		
Burns, Hugh M.	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	11	7	2		
*Burns, Michael J.	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—					
Busch	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	7	9		
Collier	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	9	6	5		
Coombs	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	9	10	1		
Crittenden	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	10	9	1		
Cunningham	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	9	11	0		
Desmond	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6	9	5		
Dillinger	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	13	6	1		
Dilworth	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0	18	2		
Donnelly	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	12	8	0		
Dorsey	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	6	1	13		
Drobish	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	13	7	0		
Gibson	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	12	8	0		
Hatfield	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	8	10		
Hulse	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	15	1		
Jespersen	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	11	6	3		
Johnson	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	13	2	5		
Judah	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	12	4		
Keating	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	9	4	7		
Kraft	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	8	5		
Mayo	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	5	8		
McBride	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	6	7		
Miller	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	16	0	4		
O'Gara	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	18	1	1		
Parkman	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	8	10	2		
Powers	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	11	7	2		
Regan	D	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	11	8	1		
Rich	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5	9	6		
Salsman	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	8	10	2		
Sutton	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	13	3		
Swing	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	10	3		
Tenney	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	8	7	5		
Ward	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	12	4		
Watson	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	16	0		
Weybret	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3	13	4		
Williams	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	14	4		
Totals		23- 2	27-10	22- 7	23- 6	26- 3	23-15	17-21	24- 5	25- 3	27- 6	24- 2	25- 9	15-19	24-10	10-22	17-17	15-17	18-16	22-14	25- 6					

* Senator Burns passed away on May 1, 1949.

TABULATED VOTE ON 29 ASSEMBLY ROLL CALLS

Black ● Indicates a Good Vote. Red ● Indicates a Bad Vote. — — Indicates Absent or Not Voting.

Limitation of space prevents compilation here of all roll calls affecting the welfare of labor. The votes listed cover a significant range of subjects of special interest to workers. These particular roll calls were chosen in an effort to give as accurate a picture as possible of the various assemblymen toward a representative list of problems. An analysis of the bills shown here may be found in the body of the report.

The large number of bills which could not be used in the Assembly tabulation because of unanimous votes include: *AB 106, *AB 154, *AB 155, *AB 164, *AB 169, *AB 231, *AB 258, AB 384, *AB 412, *AB 424, *AB 668, *AB 669, *AB 744, AB 787, AB 807, *AB 896, AB 901, AB 949, AB 1190, AB 1731, AB 1805, AB 2570, AB 2890, AB 3086, AJR 17, *SB 578.

[illegible]

* Assemblyman Yorty, chosen at special election to fill the vacancy caused by the death of John C. Lyons, did not take office until April 18, 1949.

STATE OFFICERS AND MEMBERS OF THE 1949 LEGISLATURE

Governor—Earl Warren, State Capitol, Sacramento
Lieutenant-Governor—Goodwin J. Knight, State Building, Los Angeles
President pro Tempore of the Senate—Harold J. Powers, Eagleville
Speaker of the Assembly—Sam L. Collins, Fullerton

SENATORS

Party	Dist.	City	Party	Dist.	City
Abshire, F. Presley.....	R 12	Geyserville	Judah, H. R.....	R 23	Santa Cruz
Breed, Arthur H. Jr.....	R 16	Oakland	Keating, Thomas F.....	D 13	San Rafael
Brown, Charles.....	D 28	Shoshone	Kraft, Fred H.....	R 40	San Diego
Burns, Hugh M.....	D 30	Fresno	Mayo, Jesse M.....	R 26	Angel's Camp
Busch, Burt W.....	R 4	Lakeport	McBride, James J.....	D 33	Ventura
Collier, Randolph.....	R 2	Yreka	Miller, George, Jr.....	D 17	Richmond
Coombs, Nathan F.....	R 11	Napa	O'Gara, Gerald J.....	D 14	San Francisco
Crittenden, Bradford S.....	R 20	Stockton	Parkman, Harry L.....	R 21	Millbrae
Cunningham, R. R.....	D 27	Hanford	Powers, Harold J.....	R 1	Eagleville
Desmond, Earl D.....	D 19	Sacramento	Regan, Edwin J.....	D 5	Weaverville
Dillinger, H. E.....	D 9	Placerville	Rich, W. P.....	R 10	Marysville
Dilworth, Nelson S.....	R 37	Hemet	Salsman, Byrl R.....	R 18	Palo Alto
Donnelly, Hugh P.....	D 22	Turlock	Sutton, Louis G.....	R 8	Maxwell
Dorsey, Jess R.....	R 34	Bakersfield	Swing, Ralph E.....	R 36	San Bernardino
Drobish, Harry E.....	D 6	Bangor	Tenney, Jack B.....	R 38	Los Angeles
Gibson, Luther E.....	D 15	Vallejo	Ward, Clarence C.....	R 31	Santa Barbara
Hatfield, George J.....	R 24	Newman	Watson, Clyde A.....	R 35	Orange
Hulse, Ben.....	R 39	El Centro	Weybret, Fred.....	R 25	Salinas
Jespersen, Chris N.....	R 29	Atascadero	Williams, J. Howard.....	R 32	Porterville
Johnson, Harold T.....	D 7	Roseville			

ASSEMBLYMEN

Party	Dist.	City	Party	Dist.	City
Anderson, Glenn M.....	D 46	Hawthorne	Hahn, Gordon R.....	R 66	Los Angeles
Babbage, John D.....	R 76	Riverside	Hawkins, Augustus F.....	D 62	Los Angeles
Beck, Julian.....	D 41	San Fernando	Heisinger, S. L.....	D 35	Fresno
Bennett, Elwyn S.....	D 51	Los Angeles	Hinckley, L. Stewart.....	R 73	Redlands
Berry, William Clifton.....	D 23	San Francisco	Hoffman, Verne W.....	R 12	Acampo
Brady, Bernard R.....	D 19	San Francisco	Holibaugh, Jonathan J.....	R 52	Huntington Park
Brown, Ralph M.....	D 30	Modesto	Huyck, Willard M.....	R 59	Beverly Hills
Burke, Montivel A.....	R 53	Alhambra	Kilpatrick, Vernon.....	D 55	Los Angeles
Burkhalter, Everett G.....	D 42	No. Hollywood	Kirkwood, Robert C.....	R 28	Saratoga
Butters, George R.....	R 77	Brawley	Levering, Harold K.....	R 60	Los Angeles
Caldecott, Thomas W.....	R 18	Oakland	Lewis, Joe C.....	D 39	Buttonwillow
Clarke, George A.....	R 31	Planada	Lincoln, Luther H. Abe.....	R 15	Oakland
Coats, Arthur W., Jr.....	D 4	Yuba City	Lindsay, Francis C.....	R 6	Loomis
Collier, John L. E.....	R 54	Los Angeles	Lipscomb, Glenard P.....	R 56	Los Angeles
Collins, George D., Jr.....	D 22	San Francisco	Lowrey, Lloyd W.....	D 3	Rumsey
Collins, Sam.....	R 75	Fullerton	Luckel, Frank.....	R 78	San Diego
Condon, Robert L.....	D 10	Walnut Creek	Maloney, Thomas A.....	R 20	San Francisco
Connolly, Arthur H., Jr.....	R 21	San Francisco	McCarthy, Robert I.....	D 25	San Francisco
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Crichton, James G.....	D 34	Fresno	Morris, G. Delbert.....	R 63	Los Angeles
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Elliott, Edward E.....	D 44	Los Angeles	Smith, H. Allen.....	R 43	Glendale
Erwin, Thomas M.....	R 50	Puente	Stanley, Earl W.....	R 74	Balboa Island
Evans, John W.....	R 65	Los Angeles	Stewart, Albert I.....	R 47	Pasadena
Fletcher, Carl.....	D 71	Long Beach	Thomas, Vincent.....	D 68	San Pedro
Fleury, Gordon A.....	R 8	Sacramento	Thompson, John F.....	R 29	San Jose
Gaffney, Edward M.....	D 26	San Francisco	Tomlinson, Stanley T.....	R 37	Santa Barbara
Geddes, Ernest R.....	R 49	Pomona	Waters, Laughlin E.....	R 58	Los Angeles
Grant, William S.....	R 70	Long Beach	Way, A. W.....	R 1	Eureka
Grunsky, Donald L.....	R 32	Watsonville	Weber, Charles M.....	R 11	Stockton
Hagen, Harlan.....	D 36	Hanford	Yorty, Samuel William.....	D 64	Los Angeles

COMPARATIVE RECORDS OF SENATORS

Based Upon 20 Important Roll Calls. (See Accompanying Chart.)

	Good	Bad	Absent	Rating		Good	Bad	Absent	Rating
1. O'Gara	18	1	1	1	21. McBride	7	6	7	18
2. Miller	16	0	4	2	22. Kraft	7	8	5	19
3. Johnson	13	2	5	3	23. Swing	7	10	3	20
4. Dillinger	13	6	1	4	24. Dorsey	6	1	13	21
5. Drobish	13	7	0	5	25. Breed	6	9	5	22
6. Donnelly	12	8	0	6	26. Desmond	6	9	5	22
7. Gibson	12	8	0	6	27. Rich	5	9	6	23
8. Jespersen	11	6	3	7	28. Busch	4	7	9	24
9. Burns, Hugh	11	7	2	8	29. Judah	4	12	4	25
10. Powers	11	7	2	8	30. Ward	4	12	4	25
11. Regan	11	8	1	9	31. Sutton	4	13	3	26
12. Crittenden	10	9	1	10	32. Brown	4	14	2	27
13. Keating	9	4	7	11	33. Hulse	4	15	1	28
14. Collier	9	6	5	12	34. Watson	4	16	0	29
15. Coombs	9	10	1	13	35. Weybret	3	13	4	30
16. Cunningham	9	11	0	14	36. Hatfield	2	8	10	31
17. Tenney	8	7	5	15	37. Abshire	2	12	6	32
18. Parkman	8	10	2	16	38. Williams	2	14	4	33
19. Salsman	8	10	2	16	39. Dilworth	0	18	2	34
20. Mayo	7	5	8	17					

COMPARATIVE RECORDS OF ASSEMBLYMEN

Based Upon 29 Important Roll Calls. (See Accompanying Chart.)

	Good	Bad	Absent	Rating		Good	Bad	Absent	Rating
1. Anderson	29	0	0	1	41. McCollister	17	7	5	29
2. Elliott	29	0	0	1	42. Weber	17	8	4	30
3. Gaffney	29	0	0	1	43. Davis	16	2	11	31
4. Lewis	29	0	0	1	44. Brady	16	6	7	32
5. Collins, George D.	27	0	2	2	45. Fleury	16	10	3	33
6. Meyers	27	0	2	2	46. Collier	15	11	3	34
7. Hawkins	27	2	0	3	47. Fletcher	13	1	15	35
8. Niehouse	26	1	2	4	48. Lincoln	11	5	13	36
9. Coats	26	2	1	5	49. Lowrey	11	10	8	37
10. Bennett	25	1	3	6	50. Dolwig	11	11	7	38
11. Crowley	25	1	3	6	51. Caldecott	11	14	4	39
12. Burkhalter	25	3	1	7	52. Connolly	10	16	3	40
13. Maloney	25	3	1	7	53. Grunsky	10	19	0	41
14. Crichton	25	4	0	8	54. Cramer	9	7	13	42
15. Condon	24	0	5	9	55. Lindsay	9	14	6	43
16. Rumford	24	2	3	10	56. Lipscomb	8	18	3	44
17. Beck	24	3	2	11	57. Tomlinson	8	18	3	44
18. Doyle	24	4	1	12	58. Stanley	8	19	2	45
19. Cooke	23	1	5	13	59. Burke	8	21	0	46
20. Kilpatrick	23	1	5	13	60. Waters	7	11	11	47
21. Rosenthal	23	1	5	13	61. Grant	7	17	5	48
22. Dunn	23	3	3	14	62. Smith	7	19	3	49
23. Luckel	23	6	0	15	63. Dills, Ralph	6	0	23	50
24. Thomas	22	1	6	16	64. Clarke	6	8	15	51
25. Brown	22	5	2	17	65. Thompson	6	15	8	52
26. Moss	22	6	1	18	66. Babbage	6	19	4	53
27. Evans	21	5	3	19	67. Erwin	6	21	2	54
28. Hagen	21	5	3	19	68. Levering	6	21	2	54
29. Heisinger	21	5	3	19	69. Butters	6	23	0	55
30. McCarthy	21	6	2	20	70. Collins, Sam	5	10	14	56
31. Berry	20	1	8	21	71. Hinckley	5	13	11	57
32. Dills, C. A.	20	1	8	21	72. Silliman	5	18	6	58
33. McMillan	20	2	7	22	73. Conrad	5	19	5	59
34. Morris	19	6	4	23	74. Hoffman	5	20	4	60
35. Way	19	8	2	24	75. Reagan	5	20	4	60
36. Yorty	18	3	3	25	76. Stewart	5	20	4	60
37. Hollibaugh	18	5	6	26	77. Sherwin	4	19	6	61
38. Hahn	18	10	1	27	78. Kirkwood	2	18	9	62
39. Dickey	17	6	6	28	79. Huyck	1	16	12	63
40. Geddes	17	7	5	29	80. Price	0	0	29	64

PERCENTAGE COMPARATIVE RECORDS OF SENATORS

Based Upon 20 Important Roll Calls. (See Accompanying Chart.)

The following percentage rating is based on actual good and bad votes only, without regard to absences. The percentage is the proportion of good votes to actual votes cast.

	Good	Bad	Absent	Percent	Rating		Good	Bad	Absent	Percent	Rating
1. Miller	16	0	4	100.0	1	21. Cunningham	9	11	0	45.0	18
2. O'Gara	18	1	1	94.7	2	22. Parkman	8	10	2	44.4	19
3. Johnson	13	2	5	86.7	3	23. Salsman	8	10	2	44.4	19
4. Dorsey	6	1	13	85.7	4	24. Swing	7	10	3	41.2	20
5. Keating	9	4	7	69.2	5	25. Breed	6	9	5	40.0	21
6. Dillinger	13	6	1	68.4	6	26. Desmond	6	9	5	40.0	21
7. Drobish	13	7	0	65.0	7	27. Busch	4	7	9	36.4	22
8. Jespersen	11	6	3	64.7	8	28. Rich	5	9	6	35.7	23
9. Burns, Hugh	11	7	2	61.1	9	29. Judah	4	12	4	25.0	24
10. Powers	11	7	2	61.1	9	30. Ward	4	12	4	25.0	24
11. Collier	9	6	5	60.0	10	31. Sutton	4	13	3	23.5	25
12. Donnelly	12	8	0	60.0	10	32. Brown	4	14	2	22.2	26
13. Gibson	12	8	0	60.0	10	33. Hulse	4	15	1	21.1	27
14. Mayo	7	5	8	58.3	11	34. Hatfield	2	8	10	20.0	28
15. Regan	11	8	1	57.9	12	35. Watson	4	16	0	20.0	28
16. McBride	7	6	7	53.8	13	36. Weybret	3	13	4	18.8	29
17. Tenney	8	7	5	53.3	14	37. Abshire	2	12	6	14.3	30
18. Crittenden	10	9	1	52.6	15	38. Williams	2	14	4	12.5	31
19. Coombs	9	10	1	47.4	16	39. Dilworth	0	16	2	0.0	32
20. Kraft	7	8	5	46.7	17						

PERCENTAGE COMPARATIVE RECORDS OF ASSEMBLYMEN

Based Upon 29 Important Roll Calls. (See Accompanying Chart.)

The following percentage rating is based on actual good and bad votes only, without regard to absences. The percentage is the proportion of good votes to total actual votes cast.

	Good	Bad	Absent	Percent	Rating		Good	Bad	Absent	Percent	Rating
1. Anderson	29	0	0	100.0	1	41. Brady	16	6	7	72.7	24
2. Collins, George D.	27	0	2	100.0	1	42. Geddes	17	7	5	70.8	25
3. Condon	24	0	5	100.0	1	43. McCollister	17	7	5	70.8	25
4. Dills, Ralph	6	0	23	100.0	1	44. Way	19	8	2	70.4	26
5. Elliott	29	0	0	100.0	1	45. Lincoln	11	5	13	68.8	27
6. Gaffney	29	0	0	100.0	1	46. Weber	17	8	4	68.0	28
7. Lewis	29	0	0	100.0	1	47. Hahn	18	10	1	64.3	29
8. Meyers	27	0	2	100.0	1	48. Fleury	16	10	3	61.5	30
9. Niehouse	26	1	2	96.3	2	49. Collier	15	11	3	57.7	31
10. Bennett	25	1	3	96.2	3	50. Cramer	9	7	13	56.2	32
11. Crowley	25	1	3	96.2	3	51. Lowrey	11	10	8	52.4	33
12. Cooke	23	1	5	95.8	4	52. Dolwig	11	11	7	50.0	34
13. Kilpatrick	23	1	5	95.8	4	53. Caldecott	11	14	4	44.0	35
14. Rosenthal	23	1	5	95.8	4	54. Clarke	6	8	15	42.9	36
15. Thomas	22	1	6	95.7	5	55. Lindsay	9	14	6	39.1	37
16. Berry	20	1	8	95.2	6	56. Waters	7	11	11	38.9	38
17. Dills, C. A.	20	1	8	95.2	6	57. Connolly	10	16	3	38.5	39
18. Hawkins	27	2	0	93.1	7	58. Grunsky	10	19	0	34.5	40
19. Coats	26	2	1	92.9	8	59. Collins, Sam	5	10	14	33.3	41
20. Fletcher	13	1	15	92.9	8	60. Lipscomb	8	18	3	30.8	42
21. Rumford	24	2	3	92.3	9	61. Tomlinson	8	18	3	30.8	42
22. McMillan	20	2	7	90.9	10	62. Stanley	8	19	2	29.6	43
23. Burkhalter	25	3	1	89.3	11	63. Grant	7	17	5	29.2	44
24. Maloney	25	3	1	89.3	11	64. Thompson	6	15	8	28.6	45
25. Beck	24	3	2	88.9	12	65. Hinckley	5	13	11	27.8	46
26. Davis	16	2	11	88.9	12	66. Burke	8	21	0	27.6	47
27. Dunn	23	3	3	88.5	13	67. Smith	7	19	3	26.9	48
28. Crichton	25	4	0	86.2	14	68. Babbage	6	19	4	24.0	49
29. Doyle	24	4	1	85.7	15	69. Erwin	6	21	2	22.2	50
30. Yorty	18	3	3	85.7	15	70. Levering	6	21	2	22.2	50
31. Brown	22	5	2	81.5	16	71. Silliman	5	18	6	21.7	51
32. Evans	21	5	3	80.8	17	72. Conrad	5	19	5	20.8	52
33. Hagen	21	5	3	80.8	17	73. Butters	6	23	0	20.7	53
34. Heisinger	21	5	3	80.8	17	74. Hoffman	5	20	4	20.0	54
35. Luckel	23	6	0	79.3	18	75. Reagan	5	20	4	20.0	54
36. Moss	22	6	1	78.6	19	76. Stewart	5	20	4	20.0	54
37. Hollibaugh	18	5	6	78.3	20	77. Sherwin	4	19	6	17.4	55
38. McCarthy	21	6	2	77.8	21	78. Kirkwood	2	18	9	10.0	56
39. Morris	19	6	4	76.0	22	79. Huyck	1	16	12	5.9	57
40. Dickey	17	6	6	73.9	23	80. Price	0	0	29	0.0	58

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Bills marked ** are sponsored by the Railroad Brotherhoods.

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