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# **COMBINED REPORTS ON LABOR LEGISLATION**

**FIFTY-SIXTH SESSION OF THE  
CALIFORNIA LEGISLATURE**

**January 8 to 27 and March 5 to June 16, 1945**

***and***

**FIRST EXTRAORDINARY SESSION**

**January 7 to February 19, 1946**



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***Issued by***

**CALIFORNIA STATE FEDERATION OF LABOR**

**C. J. HAGGERTY**

**Secretary and Legislative Representative**

**402 Flood Building • 870 Market Street • San Francisco, 2**

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A Tabulation of Votes, Based on Senate and Assembly Roll Calls  
Will Be Found in Accompanying Charts.

# REPORT ON LABOR LEGISLATION

Fifty - Sixth Session, California Legislature  
January 8-27 and March 5 to June 16, 1945

## FOREWORD BY THE SECRETARY

The 56th session of the California legislature adjourned sine die on June 16 with a record of accomplishment that was in many respects disappointing.

The California State Federation of Labor presented a comprehensive legislative program formulated by a committee consisting of President Anthony L. Noriega and Vice Presidents Charles W. Real, K. G. Bitter, A. E. Bilger and D. T. Wayne, which was later approved at conferences in Sacramento and Fresno, attended by secretaries of the Central Labor Councils throughout the state.

That program, stated briefly, called for the establishment of a system to provide prepaid medical care, passage of legislation to stimulate and implement post war plans for full employment, liberalization and strengthening of laws relating to unemployment insurance and workmen's compensation. It also included adequate salary increases for state employees, steps to ease strains caused by racial discrimination, and general broadening and strengthening of social security and Labor laws.

Notwithstanding the fact that many Federation objectives were achieved, the program as a whole fell short of accomplishment. The legislature unequivocally refused to consider, on the floor of either house, any plan for prepaid medical or hospital care. It failed to formulate adequate plans for post war employment and deliberately side-tracked legislation on racial discrimination.

### Workmen's Compensation

Extensive improvements were made in workmen's compensation laws, and no bad bills were enacted to counteract the desirable results achieved, although several good measures were refused passage. Substantial parts of the Federation program covering this field were adopted.

All important Labor legislation will be outlined in subsequent pages of this report. For the purposes of this introduction it will suffice to say that the outstanding workmen's compensation bill passed was a Federation sponsored measure providing that a worker who sustains both temporary and permanent disabilities in the

same accident shall receive not less than 75% of his full award for permanent disability, irrespective of sums previously paid to him as compensation for the temporary disability. In the past the law has provided that an injured worker is not entitled to both temporary and permanent disability, but only to the greater of the two.

Another workmen's compensation measure enacted, which seems of sufficient importance to mention here, was a bill establishing a "subsequent injuries fund," to be used to fully compensate for accidents to workers who are re-employed after sustaining partial permanent disability, such as the loss of an arm or an eye, and who later suffer further permanent disability. Under present law such a worker does not receive compensation for the total permanent disability that accrues from the two accidents.

### Unemployment Insurance

As in the last several sessions, many measures were considered dealing with the subject of unemployment insurance. The most important bills enacted were Federation sponsored measures making provisions of the Unemployment Insurance law applicable to employers of one or more persons instead of four or more, reduction of the waiting period for benefits from two weeks to one week and the so-called "double affirmative" bill, liberalizing appeals procedure. Those measures also had the endorsement and support of Governor Warren.

Those substantial gains in the field of unemployment insurance would have been largely off-

set by the passage of two very bad measures except for the fact that the latter failed to become law because of Governor Warren's veto. One of the bad bills adopted a modified federal definition of agricultural labor that would have deprived in excess of 100,000 workers now covered of all future benefits. The other took advantage of employees' contributions to grant employers reduced rates under merit rating provisions of the law.

### Other Legislation

The legislature was most generous in its treatment of state officials whose salaries are in the upper brackets. They were granted substantial salary increases. Judges also got a raise. Rank and file state employees, however, did not fare so well. They must be content with a meager \$15 per month pay increase, despite a determined effort on the part of the Federation to raise that figure to \$25.

To the credit of a majority of the members of the 56th legislature let it be said that they were in no mood to seriously consider any of the Labor baiting measures that were introduced. Two Senate bills which had for their purpose the permanent enactment of the "Hot Cargo" law were tabled in committee. The iniquitous "DeMille bill," which prohibited unions from levying assessments for any political purpose, was tabled when it reached the Assembly floor.

Both houses refused to enact measures reducing the time in which suits might be filed to collect claims for wages, overtime and other compensation to one year. Both Senate and Assembly also refused to pass bills which would have permitted employers to discharge workers on the unsupported claim that they subscribed to subversive philosophies of government.

### Legislative Handicaps

Many reasons might be given to account for the legislature's failure to enact a greater portion of the Federation program. Two special causes seem worthy of mention. One is the extreme conservatism of the Senate that results from the present apportionment of that body. The other is the prevailing system in the Assembly under which the Speaker has dictatorial power to name all of the committees of that house.

The California constitution provides that no county, no matter how large the population, shall be entitled to more than one Senator and

that no Senator shall represent more than three counties. This gives tremendous preponderance of voting strength in the Senate to inherently conservative rural areas.

Chief opposition to forward-looking legislation in both houses during the recent session came from organized agricultural interests. That opposition could seldom be overridden in the Senate. There is a handful of members from farming districts, who hold liberal views, but a majority of the membership is either extremely conservative or reactionary in outlook.

Difficulties encountered in getting favorable action on progressive legislation in the Assembly were of a different nature. In that house it is often possible to get the majority vote required on liberal measures that reach the floor for consideration. The catch is that under the present committee system there is altogether too little likelihood of such bills ever getting to the floor for a vote.

The Speaker is chosen by the elected membership of the Assembly. After his selection he appoints the standing committees to which all bills are referred. His decisions on those appointments are final. This undemocratic method gives the Speaker tremendous influence over all legislation. Most bills that are favorably recommended in committee eventually become law. Those that fail to receive such a recommendation almost inevitably die. The personnel of the committees decides the fate of most measures and the Speaker names that personnel.

Many examples of how that system works could be cited. When, for instance, Speaker Charles W. Lyon appointed the Committee on Public Health last January he doomed all bills providing for prepaid medical care. The membership of the committee made it certain that a majority vote could never be obtained to send any health measure to the floor for consideration.

The Committee on Industrial Relations, which was responsible for killing off several good bills, offers another illustration. Seven of the 15 members were sound, solid Labor men. Seven admittedly represented industry or agriculture. Eight votes are required for committee action. The 15th member was therefore in a position to cast the deciding vote on close committee roll calls. According to the Speaker, that man was a neutral, named to act as a balance between the two groups. Actually, he was openly conservative in

viewpoint and threw the balance of the committee 8 to 7 against Labor. There is reason to believe that forces hostile to Labor influenced appointment of the personnel of this and other committees.

### **The State Federation Role**

The State Federation played an important and constructive role in legislative activities. The Secretary was in Sacramento during the entire session. In January he supervised the drafting of Federation sponsored legislation and selected authors to introduce the various bills.

When the session reconvened in March he had as assistants Attorney Charles P. Scully and Former Assemblyman Elmer E. Lore. Scully was retained primarily because of the fact that he is a well qualified expert in the very technical field of unemployment insurance. Because of the importance of that type of legislation the employers of the state have been represented during the past several sessions by an attorney conversant with every angle of the complex subject. It was apparent that the interests of Labor must suffer unless it had as its advocate a man with equal qualifications. It is believed that the results achieved have fully justified the employment of an expert in this field.

### **The Joint Legislative Committee**

As in past sessions the Federation operated as a unit of the California Joint Labor Legislative Committee. J. H. Wasserburger, of the Order of Railway Conductors, was named chairman and the undersigned served as executive secretary. The Committee was composed of a representative list of American Federation of Labor and Railroad Brotherhood organizations.

Representatives of the Committee who spent all or a large portion of their time doing effective work in Sacramento were, in addition to Wasserburger: George F. Irvine, Brotherhood of Locomotive Firemen and Enginemen; Harry See, Brotherhood of Railway Trainmen; W. W. Stevens, Brotherhood of Locomotive Engineers; R. S. Roberts, Brotherhood of Railway Carmen; S. A. Buckley, Brotherhood of Railway Clerks, and Robert Ash, Alameda Central Labor Council.

Other A. F. of L. representatives who, although their organizations did not participate as integral parts of the Joint Labor Legislative Committee, were always available for advice or assistance, were: A. M. "Bert" Fellows, repre-

senting the Printing Trades unions of the state; Thomas Meagher, international representative of the Painters; Frank C. MacDonald of the State Building Trades Council; Raymond D. Williamson, Highway Drivers Council; Harry Finks, president of the Sacramento Central Labor Council, and Walter Pierce, international representative of the Barbers. There may have been others whose names cannot be called to mind.

In addition to those mentioned, who spent a substantial amount of time in Sacramento, were other A. F. of L. officers and representatives who visited the capital from time to time and rendered invaluable service in connection with specific bills and by conferring with the Senators or Assemblymen from their home districts on legislative problems.

Full credit must be given to all of those, named and unnamed. The legislative results accomplished would not have been possible without their assistance.

### **Legislative Voting Record**

The "Tabulation of Votes," which is a part of this report, has been prepared primarily for the information and use of A. F. of L. officials and members, who want information on the voting records of their Senators and Assemblymen. More roll calls have been compiled this year than for any similar report in the past. This has been done partly because it is believed that the increasing importance of legislative activity to the Labor Movement makes a more comprehensive report desirable and partly because it is felt that the larger the number of roll calls compiled the fairer and more accurate the picture rendered of the attitude of individual legislators.

A word of caution, however, seems in order relative to its use. Within reasonable limits it accurately reveals comparative values, but it cannot be used as an absolutely arbitrary yardstick to measure the exact worth of each individual legislator. That is because of the fact that certain human factors cannot be reflected in a cold, statistical analysis. A compilation of this kind does not record the degree of sincerity or lack thereof that motivated the votes cast. Neither does it allow any tolerance for the elements of human error and honest difference of opinion.

Another shortcoming in connection with any tabulation of votes is that it cannot reflect the political complexion of the districts from which the various legislators come. The representative

of a conservative agricultural area cannot be expected to vote as consistently with Labor as one who comes from an urban district where constituents consist in large part of union men and women.

It will be noted that 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. For that reason, loss of position in the standings due to failure to vote should not be over-emphasized.

Notwithstanding those shortcomings and complexities, it is believed that the accompanying tabulation is fair and that if used intelligently, it can serve as a useful guide in judging the attitudes and qualifications of Senators and Assemblymen. It is based strictly on recorded roll calls on which all issues involved were clear.

If the A. F. of L. membership will give it the study it deserves it will rather clearly indicate those legislators who are worthy of future support. It will also show the desirability of replacing certain present members from strong Labor districts with representatives who are more in harmony with the views of their constituency.

Labor's legislative representatives in Sacramento must achieve whatever results are possible with the Senators and Assemblymen who are chosen by the people of the state. The Labor Movement, with its present strength and prestige, is in a position to exert tremendous influence in the selection of those legislators. It can provide better ones in some instances. If rank and file unionists can be brought to a realization of the seriousness of this problem and the simplicity of its solution, the California legislature that convenes in 1947 will establish new records of constructive accomplishment.

### **In Appreciation**

In closing, a word of appreciation is definitely in order for the consistent support given Labor

measures by progressive legislators in both Senate and Assembly.

In the upper house Senators Shelley, Jespersen and Carter completed the session without being charged with a single bad vote. Shelley was a source of strength, especially on unemployment insurance measures because of his exceptionally broad knowledge of that subject. Carter was the most persuasive debater in the Senate on Labor and other progressive legislation. Jespersen was as dependable as his record indicates and often gave effective assistance on the floor. Several other Senators rendered valuable aid.

Never in the history of the California legislature has there been such keen competition for top spots on the Labor record as in the Assembly during the recent session. Eight men are not charged with a single bad vote. Dunn, Fletcher, Hawkins and Maloney head the list, due to the fact that they were present on every recorded roll call. Such a record speaks for itself. Maloney, a legislative veteran, was able to render especially valuable service to the Labor Movement because of his position as Speaker Pro Tem and as a member of the Committee on Finance and Insurance to which important bills on workmen's compensation and unemployment insurance were referred.

Gaffney, Lyons, Thomas and Rosenthal, all outstanding Labor legislators, lost positions in the standings only because they were not always present on roll calls. As explained above, that does not detract from the credit to which they are all entitled. Lyons performed outstanding service as chairman of the important Committee on Industrial Relations, and as an active floor leader on Labor bills.

### **Many Progressives**

Ten other Assemblymen are charged with but one bad vote. Four members had two bad votes apiece; three others had three each, and four more were recorded as wrong on only four roll calls. That adds up to a total of 29 out of the 80 Assemblymen who were not recorded with bad votes on more than one-tenth of the 40 roll calls tabulated. All of those deserve credit for excellent records. There were many others who followed close behind. It was this unprecedented competition for top positions in the standings and not lack of ability or dependability that drove many liberal legislators far down on the list.

George Collins and Ralph Dills, for example, who not only voted consistently, but who contributed strength in many heated debates, appear in the comparative standings in 15th and 16th positions respectively. Many other progressive legislators are still further down the list. A member charged with but seven bad votes, fell to 39th place in the standings. Labor has never had so many friends on which it could usually depend for support.

To that sizable bloc of alert and fighting progressives in the Assembly must go major credit for the degree of success achieved by Labor and other liberal groups during the recent session. May their numbers grow!

Respectfully submitted,

C. J. HAGGERTY, Secretary  
California State Federation of Labor

## REVIEW AND ANALYSIS OF LEGISLATION AFFECTING LABOR

There were 3540 bills introduced during the 1945 session of the California Legislature, 2233 of which originated in the Assembly and 1307 in the Senate. In addition to those bills there were hundreds of constitutional amendments and resolutions of various kinds.

Many of those measures were drafted and introduced by authors chosen by the Federation. All were studied carefully and more than 400 of them which directly affected Labor organizations or the welfare of their membership were critically analyzed. The Federation's legislative staff, which was employed in Sacramento during the session, followed the course of those measures

carefully, supporting the good and opposing the bad.

For the information of the A. F. of L. membership this report presents a brief analysis of the most important measures affecting Labor, classified as to subjects, and indicates their final disposition.

## UNEMPLOYMENT INSURANCE

More than 100 bills were introduced on this single subject. Among those were many measures sponsored by the Federation, designed to broaden, strengthen and liberalize California's Unemployment Insurance act and make it adequate to meet the needs of the postwar era.

Another long list of constructive bills, most of which were technical in nature, was sponsored and introduced by members of a Senate Interim Committee on Unemployment Insurance, of which Senator John F. Shelley was chairman. Employers' groups were responsible for the introduction of many bad measures, the primary purpose of which was to reduce the tax contributions of their sponsors through technical disqualification of applicants for benefits and through grants of additional concessions under merit rating provisions of the law.

If legislative accomplishments in this field are to be judged in comparison with the comprehensive objectives sought by the Federation, they are indeed meager. Several good measures, however, were enacted and many bad ones defeated. Thanks to Governor Warren, who vetoed all bad measures passed by the legislature, the net re-

sult was marked improvement in the state's Unemployment Insurance law.

Analyzed here are a few of the more important measures which were considered. (\* Indicates bills in this section sponsored by the California State Federation of Labor.)

### *Good Bills*

S. B. 1082 (by Shelley and others). One of the most constructive measures introduced, providing that employees' contributions be segregated in a special fund to be used to pay benefits to workers unemployed because of illness or of an injury not covered by workmen's compensation. Under present law a worker cannot draw benefits for unemployment due to those causes for the reason that he is not available for work. This bill was refused passage in the Senate by a



vote of 18 to 20 (Senate roll call No. 4). The Senate later refused to adopt a motion by Senator Shelley to reconsider that vote, 18 to 18 (Senate roll call No. 5).

✓ **S. B. 1084 (by Shelley and others).** As amended in the Assembly this bill provided, among other things, that benefits shall be immediately forthcoming after a referee, on appeal, affirms the original determination of a claims deputy, or after any final decision by the Appeals Board, irrespective of any subsequent appeal. The employer is protected by a provision that his account shall not be charged with any benefits paid if subsequent appeal is sustained. This measure is designed to protect workers against certain unscrupulous employers who make a practice of appealing all cases, irrespective of merit, thereby delaying the payment of benefits when they are due and often critically needed. When the bill was returned to the Senate for concurrence in Assembly amendments Desmond attempted to forestall concurrence in an effort to inject the provisions of his **S. B. 989**, which had been previously vetoed. His move was defeated 22 to 9 (Senate roll call No. 7). The bill was adopted and signed by the Governor.

✓ **S. B. 1093 (by Shelley and others).** Providing for a uniform but flexible period of disqualification of from two to five weeks for (1) voluntary quit without good cause, (2) discharge for misconduct, (3) wilful misrepresentation in connection with application for benefits and (4) any refusal to accept an offer of suitable employment. Present law provides arbitrary periods of disqualification of different lengths for these various offenses. This measure makes it possible for the Commission to take cognizance of the degree of culpability in each individual case in imposing penalties. It corrects a bad situation in connection with disqualification for refusal to accept suitable employment which, under present statutes, the courts have ruled must be permanent and indefinite. The bill passed both houses and was signed by the Governor.

**\*A. B. 127 (by Gaffney and others).** Providing that all services performed for remuneration shall be deemed employment subject to the act unless evidence is offered to the contrary. This bill was designed to close a loophole in the law through which employers of commission salesmen and others often escape payment of unem-

ployment insurance contributions on their workers. The bill died in Committee.

**\*A. B. 169 (by Lyons).** Providing unemployment insurance coverage for agricultural workers and for domestics employed in private homes. Enactment would have been a long step toward achievement of the Federation goal of universal coverage. Taken in conjunction with **A. B. 220**, which was passed, the adoption of this bill would have added approximately 250,000 agricultural workers and 75,000 domestics to the unemployment insurance rolls. This bill died in the Committee because of lack of two additional votes needed for recommendation.

**\*A. B. 220 (by Lyons).** Providing that after January 1, 1946, the provisions of the Unemployment Insurance law, with minor exceptions, shall be applicable to employers of one or more persons instead of four or more as at present. This bill, which passed both houses and was signed by the Governor, was one of the most important pieces of social legislation enacted during the session. Vote in the Assembly was 60 to 11 (Assembly roll call No. 5). Senate vote was 22 to 13 (Senate roll call No. 10). Senator Desmond's motion to reconsider was defeated 19 to 19 (Senate roll call No. 11).

**A. B. 278 (by Rosenthal and others).** Containing provisions identical with those amended into **S. B. 1084**, analyzed above. The bill passed both houses without opposition, but the Senate inserted bad amendments containing the provisions of **S. B. 989**, which had been previously vetoed by the Governor. The Assembly properly refused to concur in the amendments by a vote of 24 to 34 (Assembly roll call No. 6). This bill was then permitted to die in a free conference committee as its provisions had been enacted by **S. B. 1084**.

**\*A. B. 312 (by Burkhalter).** Bringing employees of religious, charitable, scientific, literary and educational non-profit organizations under provisions of the Unemployment Insurance act. Such workers are entitled to the same protection as all other employees. There are believed to be approximately 20,000 of them in the state. This bill died in committee after extensive hearings. Unfortunately it was strongly opposed by representatives of important religious groups and charitable organizations, which doubtless influenced the committee's refusal to give it a favorable recommendation.

**\*A. B. 1360 (by McMillan).** Providing that the

disqualification for refusal to accept suitable employment shall be two weeks. This was introduced to correct a situation that arose due to a supreme court decision holding that under present law the disqualification is permanent and indefinite. It was dropped after favorable action was taken on S. B. 1093 providing for flexible uniform disqualifications for all causes, which was passed and signed by the Governor.

\*A. B. 1409 (by Haggerty, Brady and Gaffney). Eliminating the two-week waiting period for unemployment insurance. Action was not pressed on this bill because of early enactment by the legislature of A. B. 1538, which reduced waiting period to one week. The latter measure was signed by the Governor.

\*A. B. 1438 (by Maloney). Repealing merit rating provisions of the law. Merit rating, always opposed by the Federation, was adopted in 1941 on the theory that employers could be encouraged to stabilize employment and reduce the ratio of unemployment in their operations by a reward in the form of reduced tax rates based on the number of claims for benefits charged against their accounts. Under this scheme employers are enabled to reduce their rate of contributions, on a sliding scale, from 2.7% to 1%. There are many objections to merit rating, the chief one being that experience has amply demonstrated that instead of causing stabilization of employment it encourages employers to seek reduced rates by attempting to deprive workers of legitimate benefits. The Federation pressed vigorously for enactment of this bill, but it died in committee.

\*A. B. 1440 (by Maloney). Providing for a tri-partite Appeals Board, with one member representing Labor, one industry and one the public. Prior to 1943 Labor was officially represented on the administrative commission. This bill sought to reinstate that provision in the law, which is eminently fair in view of the fact that in California workers contribute 1% of their earnings to the fund, giving Labor a special financial interest in addition to its vital concern with administrative policies under which benefits are paid. The bill died in committee.

\*A. B. 1537 (by Lyons and others). Extending the duration of unemployment insurance benefits to 26 weeks. Present duration is from 9 to 26 weeks, depending on earnings during the base period. This bill passed the Assembly

66 to 3 (Assembly roll call No. 7). It was later defeated in the Senate by a vote of 15 to 23 (Senate roll call No. 12).

✓ A. B. 1538 (by Lyons and others). Reducing the waiting period for unemployment insurance from two weeks to one week. The Federation had sponsored A. B. 1409, (by Haggerty, Brady and Gaffney), which entirely eliminated the waiting period, but accepted this bill, which was a part of Governor Warren's legislative program, as a reasonable compromise. The bill passed both houses and was signed by the Governor. The vote in the Assembly was 73 to 1 (Assembly roll call No. 8). The Senate passed the measure 31 to 1 (Senate roll call No. 13).

### *Bad Bills*

✓ S. B. 615 (by Sutton). Depriving thousands of workers now protected by unemployment insurance of all future benefits by changing the definition of agricultural labor. The California definition has always been broader and more inclusive than required by federal statute. This bill adopted the federal provisions, except insofar as they apply to workers employed in the dried fruit industry. It passed the Senate 24 to 12 (Senate roll call No. 1). It was adopted in the Assembly 42 to 34 (Assembly roll call No. 1). It failed to become law only because it was vetoed by the Governor.

S. B. 815 (by Rich). A very technical measure curtailing unemployment insurance benefits of maritime workers. It was defeated in the Senate 15 to 23 (Senate roll call No. 2).

✓ S. B. 989 (by Desmond). Depriving insurance salesmen paid on a commission basis of unemployment insurance benefits. The Senate passed this measure by a vote of 31 to 3 (Senate roll call No. 3). It passed the Assembly 41 to 30 (Assembly roll call No. 2). The bill was vetoed by the Governor.

S. B. 1083 (by Judah and others). Providing additional grounds for the disqualification of applicants for unemployment insurance who have received more than one-half of their earnings in a single calendar quarter of the base period. This was the 1945 version of legislation perennially sought by employers to disqualify for benefits workers engaged in employment of a seasonal or intermittent nature. The bill passed the Senate 24 to 13 (Senate roll call No. 6). It was defeated

in the Assembly by a vote of 32 to 34 (Assembly roll call No. 3).

✓ **S. B. 1191 (by Parkman).** Providing that as long as workers contribute to the unemployment reserve fund, employers' accounts shall be debited with only 73% of the payments charged against them. This would have the effect of increasing the ratio of an employer's reserve and eventually give him the benefit of a lower tax rate under merit rating provisions of the law. California is one of only four states in the nation in which employees make contributions. This was an undisguised and reprehensible effort on the part of employers to reduce their own contributions by taking advantage of funds paid in by their workers. The bill passed the Senate 22 to 16 (Senate roll call No. 8). Senator Shelley's motion to reconsider was defeated 12 to 24 (Senate roll call No. 9). The measure was passed by the Assembly 45 to 30 (Assembly roll call No. 4). It was vetoed by the Governor.

**A. B. 2199 (by Lyon).** Passing on to the purchaser of a new enterprise all tax reductions

earned by his predecessor under merit rating. Under present law, the new owner must pay the full base rate of 2.7% until such time as his own operations merit a reduction, irrespective of the record of the original operator. Passed the Assembly 42 to 25 (Assembly roll call No. 9). This bill was defeated in the Senate 5 to 27 (Senate roll call No. 14).

✓ **A. B. 2206 (by Clarke).** Exempting all Mexican nationals brought into the state as agricultural workers from provisions of the Unemployment Insurance act. Such workers, generally speaking, are now exempt. There are a mere handful of exceptions, such as cooks for crews that are working on farms. To arbitrarily exempt those workers as a class would encourage unscrupulous employers to hire them for covered occupations in preference to citizens on whom it would be necessary to make unemployment insurance contributions. The bill passed the Assembly unanimously. It passed the Senate by a vote of 25 to 8 (Senate roll call No. 15). It was vetoed by the Governor.

## WORKMEN'S COMPENSATION

The 1945 legislature made numerous improvements in the workmen's compensation laws. Indicative of the interest in this subject, approximately 75 bills—good and bad—were introduced, all of which were carefully analyzed by the Federation.

Most of the objectionable measures were procedural in nature and sponsored by insurance interests that sought to turn over to referees of the Industrial Accident Commission powers and functions traditionally exercised by the Commission itself. The Federation successfully opposed all such efforts by pointing out the evil effects that would inevitably accrue if civil service referees, responsible to no recognized authority, were given dictatorial power to rule on the claims of injured workers.

No bad workmen's compensation bills were enacted. The legislature, however, failed to take favorable action on several excellent measures that would have been of inestimable benefit to Labor. The Senate is especially subject to criticism for blocking passage of at least three good bills that had previously passed the Assembly. (\*Indicates that bill was sponsored by the California State Federation of Labor.)

✓ **S. B. 85 (by Mayo).** Making an appropriation of \$200,000 to be used to fully compensate work-

ers already suffering from partial permanent disability for the combined permanent disability that may be suffered in connection with a subsequent injury. Under compensation insurance laws an employer is responsible only for payment for that portion of permanent disability sustained in his employment, without regard for the degree of total disability that may accrue when taken in connection with an existing infirmity. This bill leaves the present employers' liability unchanged, but provides for the additional compensation from the state's general fund. Enactment of this bill will be of equal benefit to war veterans with service connected disabilities and to victims of previous industrial accidents, who in the future, suffer injuries which add to their permanent disabilities. This bill passed both houses without a dissenting vote and was signed by the Governor.

✓ **\*A. B. 114 (by Debs and others).** Providing that workmen's compensation awards shall carry

interest at the rate of 7% per annum on all due and unpaid amounts. The addition of interest to awards will partially compensate injured workers for the inconvenience caused by any delay in payment. This bill passed both houses unanimously and was signed by the Governor.

\*A. B. 116 (by R. C. Dills and others). Extending the time within which proceedings may be commenced for the filing of workmen's compensation claims from six months to one year. This would give a claimant under compensation laws rights equivalent to those now enjoyed by a plaintiff in a personal injuries case, who has one year within which to file suit. The bill was designed to protect the rights of workers who cannot determine the full extent or the ultimate effects of their injuries within six months. The bill passed the Assembly 68 to 1 (Assembly roll call No. 10). It was defeated in the Senate 16 to 21 (Senate roll call No. 16). A motion to reconsider by Senator Donnelly was later defeated 15 to 19 (Senate roll call No. 17).

✓ \*A. B. 134 (by Maloney). Providing that an injured workman who is permanently disabled shall receive not less than 75% of the award to which he is entitled for such permanent disability, irrespective of any sums received for temporary disability in connection with the same accident. Under present law an accident victim is not entitled to both temporary and permanent disability, but only to the greater of the two. As this measure was introduced and as it passed the Assembly, it provided full compensation for both temporary and permanent disability. The 75% limitation was inserted by an amendment in the Senate. The value of this measure is readily apparent. Justice obviously demands that a man who must start life anew with a crippling handicap is entitled to full compensation for his permanent disability without deductions for amounts previously awarded for medical care and loss of time. This bill passed the Assembly 46 to 2 (Assembly roll call No. 11). The Senate approved the amended version 31 to 1 (Senate roll call No. 18). It was signed by the Governor.

\*A. B. 136 (by Burkhalter, Allen and Debs). Providing that compensation insurance awards may include a reasonable sum for attorney's fees. Proceedings have become so involved that the average worker is helpless without an attorney. The Commission properly limits the fees that can be charged in such cases, but they nevertheless

often constitute a substantial percentage of the award from which they must be paid. It is the position of the Federation that such costs are a proper charge on industry and should not come out of the pockets of injured workers. This bill died in committee.

\*A. B. 141 (by O'Day). Providing for an additional award for attorney's fees, plus a supplemental award for the same purpose in case of an appeal, if employer is guilty of wilful failure to secure payment of compensation. The fundamental justice of such a provision is obvious. No action was taken on this bill, but the objectives sought were substantially achieved through the enactment of A. B. 1343, which was passed and signed by the Governor.

\*A. B. 303 (by Dunn). Eliminating the waiting period for workmen's compensation benefits. Under present law no compensation is awarded for the first seven days of disability. This bill was designed to bridge that gap and provide income that is often badly needed for support of unfortunate workers and their families. The bill passed the Assembly 45 to 7 (Assembly roll call No. 12). It then died in the Senate Committee on Labor.

\*A. B. 320 (by Brown and others). Providing for permissible increase of an award by as much as \$3000 in cases where injury is a result of wilful misconduct on the part of an employer, his managing representative, general superintendent or any supervisory employee. Present law provides for an increase in award, not to exceed \$2500 if misconduct is by employer, managing representative or general superintendent, but no additional amount may be awarded for misconduct by a supervisory employee. The bill died in committee.

✓ A. B. 684 (by Brady). Continuing in effect for two years, or for the duration of the war, a temporary law providing weekly benefits of \$30 for temporary disability. The bill also added volunteer firemen to those entitled to such benefits. With the exception of the last provision, it was identical with A. B. 1293, sponsored by the Federation. This bill passed both houses without opposition and was signed by the Governor.

A. B. 871 (by Maloney). Providing for a penalty equal to 10% of the award, but in no case less than \$100, for any unsuccessful attempt by an insurance company to have an award modified or annulled by review or appeal.

Purpose is to discourage unjustified appeals that delay settlement of claims and deprive injured workers of their compensation at the time they need it most. Bill passed the Assembly 45 to 27 (Assembly roll call No. 13). It later died in the Senate Committee on Labor.

✓ **A. B. 872 (by Maloney).** Providing that in cases where there has been unreasonable delay or a refusal of settlement in connection with a workman's compensation claim that the award be increased 10%. This bill passed both houses unanimously and was signed by the Governor.

**A. B. 873 (by Maloney).** Changing the whole basis for payment of death benefits by providing a pension for the widows and children of industrial accident victims. Under the terms of the measure a widow would receive benefits for the duration of her widowhood. Children would receive payments to the age of 18, or if blind or crippled, for life. Present maximum death benefit is \$6000. That amount is paid in installments over a period of 240 weeks, after which all benefits terminate, irrespective of needs of dependents. This important social legislation was sponsored by the Industrial Accident Commission. The bill passed the Assembly 45 to 25 (Assembly roll call No. 14). It later died in the Senate Committee on Labor when that body refused to give it a favorable recommendation.

✓ **\*A. B. 1179 (by Dunn and Sheridan).** Providing that "injury" to a policeman or fireman includes pneumonia or heart trouble which manifests itself while he is in the service of the department. Present law stipulates that he must be in "active service," which sometimes makes it difficult to prove that accident is compensable. As bill was introduced it carried the same provision relative to hernia. The latter was stricken by an amend-

ment that was adopted over the protest of Federation representatives. The bill passed the Assembly with but one dissenting vote. The Senate approved unanimously. It was signed by the Governor.

✓ **\*A. B. 1290 (by Carey and others).** Having the effect of increasing lump sum workmen's compensation awards. Disability awards are usually paid in installments. In those cases in which they are granted in a lump sum they are reduced, under present law, by an amount that is equal to 6% interest per annum on the normally deferred payments. Cutting the computed value of that interest from 6% to 3% will materially increase the amount of cash actually received by the beneficiary. This measure passed both houses and was signed by the Governor.

**\*A. B. 1291 (by Carey and others).** Providing that no sums paid as indemnity for disability shall be deducted from death benefits. Law now provides that if death occurs more than 12 months subsequent to injury that all payments for disability benefits shall be deducted from the award. This is manifestly unjust, especially in cases where the amount paid in connection with the disability is large. The bill died in committee.

✓ **A. B. 1343 (by Thomas).** Providing that the Industrial Accident Commission may award reasonable attorney's fees in cases where an employer fails to secure payment of compensation. This bill passed both houses unanimously and was signed by the Governor.

✓ **A. B. 1519 (by R. C. Dills).** Providing that industrial accident victims are entitled to therapeutic treatments by a chiropractor as well as the services of a physician. Passed the Assembly unanimously. Adopted by the Senate 24 to 5 (Senate roll call No. 19). The bill was signed by the Governor.

## HEALTH INSURANCE

One of the most disappointing performances of the 56th legislature was in connection with its refusal to enact—or even seriously consider—any measure to provide a system of prepaid medical care. Labor was united in its advocacy of such a program. Dozens of influential groups and organizations throughout the state had endorsed the principle. Governor Earl Warren listed health insurance at the top of his social security agenda, and stubbornly fought for enactment of an adequate program throughout the session. A majority of the state's legislators, however, were unable or unwilling to resist pressure of the reactionary opponents of such a program.

Several bills were introduced which provided for a more or less comprehensive medical care program. Two of those measures had substan-

tial backing and received committee consideration. They were **A. B. 449 (by Thomas and**

others) and A.B. 800 (by Wollenberg and others).

The members of the Assembly Committee on Public Health, to which the bills were referred were: Fred H. Kraft, chairman, San Diego; Ernest E. Debs, vice-chairman, Los Angeles; Sam L. Collins, Fullerton; Ralph C. Dills, Compton; Fred Emlay, Salinas; John W. Evans, Los Angeles; Edward M. Gaffney, San Francisco; Augustus F. Hawkins, Los Angeles; Jack Massion, Los Angeles; Richard H. McCollister, Mill Valley; John B. Pelletier, Los Angeles; and John F. Thompson, San Jose.

That committee went through the motions of holding hearings on the bills. Considerable time was consumed and many witnesses for and against the measures were heard. It developed later, however, that a majority of the committee had signed a report prior to the conclusion of the hearings, recommending that the matter be postponed two years for further study.

Long before the committee voted on a motion to send the bills to the floor of the Assembly with a favorable recommendation the result was a foregone conclusion. Only three members of the committee voted affirmatively, with seven votes required for action. (The committee vote was identical on both measures.)

No official tabulation of committee votes is recorded, but according to press reports the roll call was as follows:

Aye—Gaffney, Hawkins and Massion—3.

No—S. L. Collins, Emlay, Evans, Field, McCollister, Thompson and Kraft—7.

Absent—Debs, R. C. Dills and Pelletier—3.

After failure to get favorable committee action, the authors of both health bills attempted to bring them to the floor of the Assembly for consideration by motions to withdraw from committee. Forty-one affirmative votes were required.

The motion by Thomas on A.B. 449 failed 34 to 42 (Assembly roll call No. 22).

Wollenberg's motion in respect to A.B. 800 was defeated 38 to 39 (Assembly roll call No. 23).

After the refusal of the legislature to even consider a general health program Wollenberg and Thomas, as co-authors, introduced A.B. 2201, providing for hospital care on a prepaid basis through payroll deductions.

The Committee on Public Health, after perfunctory hearings, voted 8 to 5 to lay the bill on the table. An unofficial compilation shows the committee roll call as follows:

To table—Debs, S. L. Collins, Emlay, Evans, Field, McCollister, Thompson and Kraft—8.

Against tabling—R. C. Dills, Hawkins, Gaffney, Pelletier and Massion—5.

After this action of the committee, Wollenberg moved that A.B. 2201 be withdrawn from that body and placed on the Assembly file for consideration. The motion lost 32 to 45 (Assembly roll call No. 24).

## "THE DeMILLE BILL"

**A. B. 1953 (by Davis and Call).** As originally introduced, this measure prohibited Labor Organizations from levying assessments for any political purpose. It became generally known as the "DeMille bill" after Cecil B. DeMille, movie and radio tycoon, appeared before the Assembly Committee on Industrial Relations urging its adoption. The measure was doubtless introduced as a result of his controversy with the American Federation of Radio Artists over a \$1 assessment levied to oppose Proposition No. 12 on the 1944 general election ballot. DeMille refused to pay the assessment and was expelled from his union. He appealed to the courts, contending that his constitutional political rights had been infringed.

The court ruled that no legal rights had been invaded and sustained the right of the union to discipline the plaintiff. At the time DeMille appeared before the Assembly committee, he had appealed that decision and enactment of the bill would have materially strengthened his legal position.

The bill was designed to render the entire Labor Movement politically impotent. The prohibition on a traditional form of union financing would have made it impossible to raise money needed to effectively fight any vicious initiative measures or to oppose candidates unfriendly to Labor. It would have even made it illegal for a union to levy an assessment by a unanimous vote to maintain legislative representatives in

Sacramento to protect the interests of workers against the machinations of an extensive and well financed employers' lobby.

The bill was reported out of committee "without recommendation," after which Davis was successful in having amendments adopted, making the provisions of the measure applicable not only to unions, but to all types of "associations." This was obviously a maneuver to create the false impression that no discrimination against Labor was intended. In injecting this amendment, however, the author succeeded in out-fox-

ing himself. Representatives of associations outside the field of Labor became concerned and began voicing opposition to the bill.

Davis then sought to re-amend his measure to substantially its original form. The Federation opposed his effort to make the bill more palatable to non-Labor groups. When the amendment came up for consideration R. C. Dills moved that it be tabled. The motion carried 47 to 27 (Assembly roll call No. 35). R. C. Dills then moved that the bill be tabled. That motion prevailed, 50 to 27 (Assembly roll call No. 36).

## EMPLOYERS' ATTEMPTS TO NULLIFY THE FAIR LABOR STANDARDS ACT

Federation legislative representatives won their hardest fight of the session when they successfully forestalled all efforts of California's organized employers to enact state legislation adversely affecting rights now existing under the Federal Fair Labor Standards act, more commonly called the Wages and Hours law.

That statute provides, among other things, that all employers engaged in interstate commerce shall pay certain minimum wages plus overtime at the rate of time and one-half for all hours worked in excess of 48 per week. The law cannot be violated with impunity because of stringent penalty provisions. If, for instance, an employee sues an employer and proves that overtime compensation has been illegally withheld under the federal statute, it is mandatory on the court to award, in addition to the actual overtime due, an equal amount in "liquidated damages," plus court costs and attorney's fees.

It is obviously impossible for the state legislature to change any of the provisions of a federal statute. Nevertheless, California's employers devised a cunning scheme designed to largely nullify its effectiveness.

They sought to limit the time in which suits might be filed by workers to collect any compensation due. This strategy was possible because this federal law contains no statute of limitations. The courts have therefore held that state statutes, with certain limitations, shall govern the time during which legal action may be commenced to enforce payment of claims.

The California law, which allows a three-year period within which to file suits to collect claims based upon a statute, governs in the case of ac-

tions started under the federal law. Employers sought to reduce that time to one year. Because of numerous technical difficulties involved in ascertaining facts and preparing cases, Labor attorneys agreed that a one-year limitation would be wholly inadequate and that enactment of such a law would preclude collection of millions of dollars in valid claims for wages and overtime compensation illegally withheld from California's workers.

Bills were pressed with vigor in both Senate and Assembly on this subject. Although their proponents repeatedly stated that they were interested in those measures only insofar as they affected the Fair Labor Standards act, the passage of either bill would have seriously curtailed Labor's present rights to collect wages due under other statutes. The bills considered were:

**S. B. 829 (by Ward).** This bill was amended on numerous occasions. As it was finally considered in the Senate it would have reduced the statute of limitations on all wage claims, irrespective of their basis, to one year. Senator Oliver J. Carter of Redding lucidly exposed the evils of the measure in debate on the Senate floor and was largely responsible for its decisive defeat by a vote of 11 to 25 (Senate roll call No. 24). That vote was later reconsidered, but



the bill was re-referred to committee, where it died.

**A. B. 1632** (by Werdel). This bill sought the same ends as S. B. 829 and was equally objectionable, although not so far-reaching in effect.

When first voted on it was defeated 30 to 42 (Assembly roll No. 32). That action was reconsidered by a vote of 41 to 28 (Assembly roll call No. 33). The measure was then finally defeated 37 to 39 (Assembly roll call No. 34).

## RACIAL DISCRIMINATION

The problem of racial discrimination evoked much oratory and debate in the Assembly, where two bills on the subject were introduced, but the legislature adjourned without taking any action.

**A. B. 3** (by Hawkins and others). Creating a State Fair Employment Practices Commission, with broad powers to regulate employment practices and containing penalty provisions for violation. It followed closely the terms of a New York statute on the subject. After extensive hearings the Assembly Committee on Governmental Efficiency and Economy refused favorable recommendation. On a motion by Hawkins, it was then withdrawn from that committee and re-referred to the Committee on Ways and Means by a vote of 46 to 31 (Assembly roll call No. 25). That body, in turn, refused to act and Hawkins moved that the measure be withdrawn and brought to the floor for consideration of the entire Assembly. The motion prevailed, 43 to 25 (Assembly roll call No. 26).

Various amendments were adopted, each of which forced the bill to be sent out for re-print before it could be considered. By this strategy, opponents delayed action until the last week of the session, during which no bill may be considered in the house in which it originated with-

out the consent of three-fourths of the elected members or, in the case of the Assembly, 60 affirmative votes. The vote on a motion by Hawkins to consider the bill was 48 to 29—or 12 short of the number required (Assembly roll call No. 27). A subsequent identical motion failed, 40 to 24.

**A. B. 1399** (by S. L. Collins and others). A more conservative approach to the subject of racial discrimination. This bill, sponsored by Governor Warren, created a commission to investigate conditions involving discrimination against racial and minority groups and report on same to the Governor and to the legislature. It finally received committee approval in the closing week of the session, when like A. B. 3, a three-fourths majority was required for consideration. The vote on a motion of S. L. Collins to act on the measure was 54 to 18, or 6 short of the 60 affirmative votes necessary (Assembly roll call No. 31). A subsequent effort to consider the measure failed 36 to 20.

## WOMEN AND MINORS

Many bills—both good and bad—were introduced dealing with the subjects of child labor and working conditions for women. Only a few of minor importance were finally enacted. The best that can be said for the legislature with respect to such legislation is that it killed off both good measures and bad with equal impartiality.

Traditional enemies of child labor legislation in California are the organized newspaper publishers and agricultural groups. During the 56th session, publishers' representatives showed more inclination than in the past to consult with labor in an effort to work out differences of opinion and some good resulted from conferences between the two groups. Agricultural interests, however, remained adamant.

Several bills providing for improved working conditions for women and the strengthening of

child labor laws passed the Assembly, but with few minor exceptions, they were killed off in the Senate.

### *Good Bills*

**A. B. 58** (by Hawkins and others). Providing that employers must pay the same scale of wages to women that they pay to men for equal work. This bill passed the Assembly by a vote of 64 to 1. (Werdel of Bakersfield was the lone



dissenter.) The measure was rejected by the Senate, 14 to 24 (Senate roll call No. 20).

✓ **A. B. 274 (by Hawkins and others).** As bill was introduced and as it passed the Assembly it continued authorization for maintenance of child care centers for two years and legalized expenditures by local governmental agencies for their support. A Senate amendment, introduced by Hulse, completely emasculated liberalizing provisions of the Assembly version. As enacted, however, the centers will be able to continue operation if money is available for their support from the federal government. The Assembly passed the bill by a vote of 55 to 12 (Assembly roll call No. 29). A subsequent motion by Davis to reconsider was defeated 32 to 43. The vote in the Senate was 28 to 4 (Senate roll call No. 23). This bill was signed by the Governor.

✓ **A. B. 329 (by Gaffney and others).** Tightening existing law relative to the hours of women who work for more than one employer in the course of the same week. Passed both houses and was signed by the Governor.

✓ **A. B. 331 (by Gaffney and others).** Tightening enforcement provisions of those sections of the law relating to minors employed in the amusement industry. Passed both houses and was signed by the Governor.

✓ **A. B. 334 (by Gaffney and others).** Clarifying the law relative to the weight of objects that may be handled by women employees. Passed both houses and was signed by the Governor.

**A. B. 876 (by Maloney and others).** Codifying and re-arranging numerous sections of the Labor and Education Codes relating to child labor. Containing minor strengthening amendments, but designed primarily to simplify present sections of the law and make them more enforceable. Passed the Assembly 64 to 0. In the Senate a motion by Weybret to "indefinitely postpone" action was adopted 20 to 17, which had the effect of killing the bill. (Senate roll call No. 22).

**A. B. 1533 (by McMillan).** Providing that operators of labor camps must keep a register during the school year, containing the names of all persons in the camp under 18 years of age. This measure was proposed by school authorities as an aid to the enforcement of truancy and child labor laws. The Assembly first passed it 43 to 23, then on the motion by Thompson, voted

41 to 24 to reconsider its action. Following reconsideration the bill was defeated 30 to 33 (Assembly roll call No. 20).

**A. B. 1974 (by George D. Collins).** Creating a bureau of domestic service in the Department of Industrial Relations to regulate hours, wages and working conditions in domestic service. After the adoption of amendments which largely nullified its original effectiveness, the bill passed the Assembly by a vote of 45 to 25 (Assembly roll call No. 21). The measure eventually died in the Senate Committee on Labor.

## ***Bad Bills***

**A. B. 682 (by Lyon).** Relaxing present prohibitions on industrial homework. Chief proponent of this iniquitous measure to revive sweat shop working conditions was a state official, the director of the Division of Industrial Welfare, and an appointee of the Governor. With that sponsorship, plus the personal prestige of the author, Speaker Charles W. Lyon, the bill received a favorable recommendation from the Assembly Committee on Industrial Relations. Before it came to the floor for a vote, however, Governor Warren was apprised of the character of the measure, and shortly thereafter it was referred to committee, where it died.

✓ **A. B. 920 (by Johnson).** Nullifying provisions of the law relating to maximum hours of work for women, insofar as employees of certain technical laboratories are concerned. Passed both houses and was vetoed by the Governor. Unfortunately, however, the bad provisions of this bill were incorporated in **A. B. 2088**, another bill by the same author. The Governor was compelled to sign the latter measure, in view of the fact that it was the only bill reaching his desk to continue certain wartime regulations relating to the employment of women.

**A. C. A. 26 (by Thomas).** The so-called "Equal Rights" amendment, enactment of which is sought by certain women's groups on the contention that it is necessary to give women full economic and political equality. Because the adoption of such a measure would almost completely nullify all protective legislation passed in the interest of women industrial workers during the last generation, the measure receives substantial undercover support from selfish business interests who would like to revive the sweat

shop. As in past sessions, the Federation actively opposed this measure and succeeded in having it killed off in the Assembly Committee on Constitutional Amendments.

**A. J. R. 37** (by Niehouse and Lyon). Memorializing Congress to adopt an "Equal Rights" amendment to the federal constitution. The Federation was instrumental in having amendments

incorporated to protect all laws—past and future—relating to working conditions for women. Those amendments were acceptable to Mrs. Niehouse, the chief author. After their adoption, however, her co-author, Speaker Lyon, had the bill re-referred to committee and re-introduced an identical measure, **A. J. R. 44**, which later died in the Assembly Rules Committee.

## STATE EMPLOYEES

Although the legislature granted substantial salary increases to top bracket state officials and raised the compensation of judges, rank and file employees received only a modest \$15 per month salary boost. The Assembly, on two occasions, voted \$25 per month increases, but the Senate refused to approve. The \$15 per month, which was finally granted, applied only to salaried employees and did not benefit per diem workers.

The Federation sponsored **S. B. 513** (by Shelley) and **A. B. 718**, (by Gaffney and others), both of which provided for a flat \$25 per month increase. These measures were considered more equitable than **S. B. 76**, (by Desmond), providing for a 10% raise, which was sponsored by the California State Employees Association. Desmond's **S. B. 77**, however, granting a 10% increase to per diem workers, had Federation approval.

**S. B. 513** was favorably recommended by the Senate Committee on Governmental Efficiency, but died in the Committee on Finance. **A. B. 718** passed the Assembly by a unanimous vote, but stalled and died in the Senate Committee on Governmental Efficiency. **S. B. 76** and **S. B. 77** also died in Senate committees.

The only record vote on this subject, with the exception of the uncontested roll call on **A. B.**

**718**, was in connection with an amendment to the budget bill, **A. B. 500**. That amendment, proposed by Gaffney, G. D. Collins and Hawkins, called for a flat \$25 per month raise and increased the budget by an amount sufficient to cover the cost. That amendment was approved by a vote of 56 to 16 (Assembly roll call No. 30). In the Senate the increase was cut to \$15 per month, and the budget was finally enacted with that provision.

The Senate did, however, leave the total appropriation intact, which may enable the State Personnel Board to adjust some of the most glaring inequities in compensation.

The legislature also enacted several measures of comparatively minor importance dealing with computation of overtime and sick leave, holidays and related subjects.

## OTHER BILLS OF INTEREST TO LABOR

### *Good Bills*

**A. B. 335** (by Gaffney and others). Extending to all employers a prohibition against interference with the political rights of their workers. Present law applies only to those who regularly employ 20 or more persons. The basic provisions of this eminently fair measure were never in controversy. It must be mentioned in this report, however, because of two sharp legislative skirmishes in which it was involved when efforts were made to attach vicious amendments.

The first attempt occurred in the Assembly when Davis sought to amend into the bill the

provisions of his **A. B. 1953** (the DeMille bill), which had been previously tabled. A motion by Beal to table the Davis amendments carried 44 to 21 (Assembly roll call No. 15). Geddes then moved to table the bill itself. That inept move was defeated 21 to 44 (Assembly roll call No. 16). Rejection of that motion seemed to jar the house into some degree of sanity, because the measure then immediately passed the Assembly by a vote of 64 to 3.

When the measure reached the Senate, Tenney sought to inject the provisions of his **S. B. 1239**, which had been previously tabled in committee.

(S. B. 1239 was identical with A. B. 2096, analyzed below.) Tenney's amendment was defeated 15 to 22 (Senate roll call No. 21). The bill later passed the Senate in its original form by unanimous vote and was signed by the Governor.

**A. B. 1391 (by Lyons and others).** This was a bill sponsored by Governor Warren, providing for needed reorganization of the State Department of Industrial Relations. The principal objectives of the bill were never in serious controversy. The only fight came when efforts were made by Johnson to incorporate bad amendments, granting to referees of the Industrial Accident Commission powers traditionally and properly held by the Commission itself. The Federation successfully opposed all moves to turn over to those civil service employees authority that would enable them to arbitrarily rule on the claims of industrial accident victims. One of the objectionable Johnson Amendments was adopted 39 to 34 (Assembly roll call No. 17). Lyons then moved to reconsider the vote. Reconsideration was granted 58 to 16 (Assembly roll call No. 18). After reconsideration the amendment was tabled and the bill passed 66 to 9 (Assembly roll call No. 19). The bill later passed the Senate without controversy and was signed by the Governor.

**A. B. 1531 (by Stewart and others).** This is the so-called "Urban Redevelopment bill," providing legal machinery and establishing procedures to enable public agencies to cooperate with private enterprise in rehabilitating slum areas within cities. It opens a new field in which to plan postwar employment projects and offers hope for social progress in the form of better housing. Bill passed Assembly without a dissenting vote. It was approved by the Senate 31 to 2 (Senate roll call No. 25), and was signed by the Governor.

**A. B. 1879 (by Gannon and Geddes).** Prohibiting publicly supported schools of printing from doing commercial printing in competition with private plants. Details were worked out in conference between representatives of the printing trades unions and the industry to enable schools to do a diversity of work providing for complete instruction without unfairly competing with regular employers. The bill passed the Assembly without a dissenting vote. It was adopted by the Senate 21 to 9 (Senate roll call No. 26). The measure was signed by the Governor.

**A. B. 2057 (by Johnson and Wollenberg).** Providing machinery for the relief of unemploy-

ment, to become effective upon declaration of an emergency by the Governor and the legislature. There was an honest difference of opinion among legislators and others as to the desirability of such a law at this time. The Federation took the position that failure of the legislature to develop any comprehensive postwar employment program and its refusal to extend coverage and benefits of unemployment insurance made this measure desirable to "cushion" the shock of anticipated emergencies. The bill passed the Assembly 58 to 16 (Assembly roll call No. 37). The vote in the Senate was 27 to 10 (Senate roll call No. 27). It was signed by the Governor.

**A. B. 2136 (by McMillan).** The so-called "Full Employment bill," providing for annual surveys of employment opportunities throughout California and a comprehensive integrated program to encourage the fullest possible utilization of the state's working force in private industry and on public works. After several amendments which modified but did not destroy its original intent, the bill passed the Assembly 68 to 4 (Assembly roll call No. 40). It later died in the Senate Committee on Finance.

### *Bad Bills*

**A. B. 208 (by Middough, Debs and McMillan).** Providing for photostatic recording of documents in the three largest counties of the state, which would have eliminated the jobs of several hundred skilled copyists with long tenure in the public service. The bill was defeated in the Assembly by a vote of 32 to 38 (Assembly roll call No. 28). Reconsideration was later refused, 19 to 45.

**A. B. 2096 (by Kraft).** Enabling employers to discharge workers on unsubstantiated charges that they adhered to subversive philosophies of government. The broad terms of the bill would not only have invaded the constitutional rights of employees, but would have made it possible for unscrupulous employers to resort to subterfuge which would have jeopardized the jobs of loyal workers. The bill was once favorably recommended by the Assembly Committee on Judiciary. Beal's motion to re-refer to committee carried 41 to 33 (Assembly roll call No. 38). A subsequent motion by Kraft to reconsider that action was defeated 38 to 41 (Assembly roll call No. 39). An identical bill, S. B. 1239, (by Tenney, Burns and Dilworth), was tabled in the Senate Committee on Labor.

## STATE OFFICERS AND MEMBERS OF THE 1945 LEGISLATURE

Governor—Earl Warren, State Capitol, Sacramento

Lieutenant-Governor—Frederick F. Houser, State Building, Los Angeles

Speaker of the Assembly—Charles W. Lyon, Beverly Hills

President Pro Tempore of the Senate—Jerrold L. Seawell, Roseville

## SENATORS

Name	Party	Dist.	City	Name	Party	Dist.	City
Biggar, George M.	R	4	Covelo	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	Kuchel, Thomas H.	R	35	Anaheim
Burns, Hugh M.	D	30	Fresno	Mayo, Jesse M.	R	26	Angels Camp
Carter, Oliver J.	D	5	Redding	McBride, James J.	D	33	Ventura
Collier, Randolph	R	2	Yreka	McCormack, Thomas	R	15	Rio Vista
Crittenden, Bradford S.	R	20	Stockton	Mixter, Frank W.	R	32	Exeter
Cunningham, R. R.	D	27	Hanford	Parkman, Harry L.	R	21	Millbrae
DeLap, T. H.	R	17	Richmond	Powers, Harold J.	R	1	Eagleville
Desmond, Earl D.	D	19	Sacramento	Quinn, Irwin T.	D	3	Eureka
Deuel, Charles H.	D	6	Chico	Rich, W. P.	R	10	Marysville
Dillinger, H. E.	D	9	Placerville	Salsman, Byrl R.	R	18	Palo Alto
Dilworth, N. S.	R	37	Hemet	Seawell, Jerrold L.	R	7	Roseville
Donnelly, Hugh P.	D	22	Turlock	Shelley, John F.	D	14	San Francisco
Dorsey, Jesse R.	R	34	Bakersfield	Slater, Herbert W.	D	12	Santa Rosa
Fletcher, Ed.	R	40	San Diego	Sutton, L. G.	R	8	Maxwell
Gordon, Frank L.	R	11	Suisun	Swing, Ralph E.	R	36	San Bernardino
Hatfield, George J.	R	24	Newman	Tenney, Jack B.	R	38	Los Angeles
Hulse, Ben.	R	39	El Centro	Ward, Clarence C.	R	31	Santa Barbara
Jespersen, Chris N.	R	29	Atascadero	Weybret, Fred.	R	25	Salinas

## ASSEMBLYMEN

Name	Party	Dist.	City	Name	Party	Dist.	City
Allen, Don A.	D	63	Los Angeles	Haggerty, Gerald P.	D	25	San Francisco
Anderson, Glenn M.	D	46	Hawthorne	Hawkins, Augustus F.	D	62	Los Angeles
Armstrong, Douglas P.	R	73	Redlands	Helsinger, S. L.	D	35	Fresno
Beal, Ralph A.	D	54	Los Angeles	Hollibaugh, Jonathan J.	R	52	Huntington Park
Beck, Julian	D	41	San Fernando	Johnson, Gardiner	R	18	Berkeley
Bennett, Elwyn S.	D	51	Los Angeles	Kilpatrick, Vernon	D	55	Los Angeles
Berry, William Clifton	D	23	San Francisco	King, Albert M.	D	4	Oroville
Boyd, Philip L.	D	76	Palm Springs	Knight, T. Fenton	R	48	La Canada
Brady, Bernard R.	D	19	San Francisco	Kraft, Fred H.	R	78	San Diego
Brown, Ralph M.	D	30	Modesto	Leonard, Jacob M.	R	32	Hollister
Burke, Montivel A.	R	53	Alhambra	Lowrey, Lloyd W.	D	3	Rumsey
Burkhalter, Everett G.	D	42	North Hollywood	Lyon, Charles W.	R	59	Beverly Hills
Burns, Michael J.	R	1	Eureka	Lyons, John C.	R	64	Los Angeles
Butters, George R.	R	77	Brawley	Maloney, Thomas A.	R	20	San Francisco
Call, Harrison W.	R	27	Redwood City	Massion, Jack	D	66	Los Angeles
Carey, Edward J.	R	17	Emeryville	McCollister, Richard H.	R	7	Mill Valley
Clarke, George A.	R	31	Le Grand	McMillan, Lester A.	D	61	Los Angeles
Collins, George D., Jr.	D	22	San Francisco	Middough, Lorne D.	D	70	Long Beach
Collins, Sam L.	R	75	Fullerton	Miller, Raup	R	28	Palo Alto
Crichton, J. G.	D	34	Fresno	Niehouse, Kathryn T.	R	79	San Diego
Crowley, Ernest C.	D	5	Fairfield	O'Day, Edward F.	D	24	San Francisco
Davis, M. Philip	R	60	Los Angeles	Pelletier, John B.	D	44	Los Angeles
Debs, Ernest E.	D	56	Los Angeles	Price, R. Fred	R	72	Upland
Dekker, Albert	D	57	Los Angeles	Robertson, Alfred W.	D	37	Santa Barbara
Denny, Paul	R	2	Etna	Rosenthal, William H.	D	40	Los Angeles
Dickey, Randal F.	R	14	Alameda	Sawallisch, Harold F.	D	10	Richmond
Dills, Clayton A.	D	67	Gardena	Sheridan, Bernard A.	R	15	Oakland
Dills, Ralph C.	D	69	Compton	Sherwin, Marvin	R	16	Piedmont
Doyle, Thomas J.	D	45	Los Angeles	Stephenson, Dwight H.	R	9	Elk Grove
Dunn, Francis, Jr.	D	13	Oakland	Stewart, Albert I.	R	47	Pasadena
Emlay, Fred	D	33	Salinas	Stream, Charles W.	R	80	Chula Vista
Erwin, Thomas M.	R	50	Puente	Thomas, Vincent	D	68	San Pedro
Evans, John W.	D	65	Los Angeles	Thompson, John F.	R	29	San Jose
Field, C. Don	R	43	Glendale	Thorp, James E.	R	12	Lockeford
Fletcher, Carl	D	71	Long Beach	Thurman, Allen G.	R	6	Colfax
Fourt, Walter J.	R	38	Ventura	Waters, Frank J.	R	58	Los Angeles
Gaffney, Edward M.	D	26	San Francisco	Watson, Clyde A.	R	74	Orange
Gannon, Chester F.	R	8	Sacramento	Weber, Charles M.	R	11	Stockton
Geddes, Ernest R.	R	49	Pomona	Werdel, Thomas Harold	R	39	Bakersfield
Guthrie, C. L.	D	36	Porterville	Wollenberg, Albert C.	R	21	San Francisco

**COMPARATIVE RECORDS OF SENATORS**

Based Upon 27 Important Roll Calls. (See Accompanying Chart)

	Good	Bad	Absent	Rating		Good	Bad	Absent	Rating
1. Shelley.....	27	0	0	1	21. Powers.....	11	8	8	18
2. Jespersen.....	25	0	2	2	22. Mayo.....	11	11	5	19
3. Carter.....	24	0	3	3	23. McCormack.....	11	11	5	19
4. Donnelly.....	23	4	0	4	24. Sutton.....	10	16	1	20
5. Dillinger.....	22	3	2	5	25. Biggar.....	9	10	8	21
6. Tenney.....	22	3	2	5	26. Ward.....	9	14	4	22
7. Salsman.....	21	3	3	6	27. Brown.....	9	17	1	23
8. Slater.....	21	4	2	7	28. Parkman.....	8	17	2	24
9. DeLap.....	20	4	3	8	29. Weybret.....	8	17	2	24
10. Judah.....	20	7	0	9	30. Rich.....	7	17	3	25
11. Keating.....	20	7	0	9	31. Hatfield.....	7	18	2	26
12. Seawell.....	20	7	0	9	32. Hulse.....	7	19	1	27
13. Crittenden.....	18	8	1	10	33. Burns.....	6	13	8	28
14. Dorsey.....	16	3	8	11	34. Swing.....	6	13	8	28
15. Fletcher.....	16	4	7	12	35. Gordon.....	6	17	4	29
16. Quinn.....	16	10	1	13	36. Kuchel.....	6	20	1	30
17. Collier.....	15	9	3	14	37. Desmond.....	5	11	11	31
18. Deuel.....	13	11	3	15	38. Breed.....	5	14	8	32
19. Cunningham.....	12	9	6	16	39. Mixter.....	5	20	2	33
20. McBride.....	12	12	3	17	40. Dilworth.....	1	23	3	34

**COMPARATIVE RECORDS OF ASSEMBLYMEN**

Based Upon 40 Important Roll Calls. (See Accompanying Chart)

	Good	Bad	Absent	Rating		Good	Bad	Absent	Rating
1. Dunn.....	40	0	0	1	41. Thurman.....	21	15	4	25
2. Fletcher.....	40	0	0	1	42. King.....	20	15	5	26
3. Hawkins.....	40	0	0	1	43. McColister.....	19	14	7	27
4. Maloney.....	40	0	0	1	44. Allen.....	18	15	7	28
5. Gaffney.....	39	0	1	2	45. Waters.....	18	21	1	29
6. Berry.....	39	1	0	3	46. Sawallisch.....	17	9	14	30
7. Haggerty.....	39	1	0	3	47. Lowrey.....	17	17	6	31
8. Kilpatrick.....	39	1	0	3	48. Weber.....	17	19	4	32
9. Massion.....	39	1	0	3	49. Thompson.....	17	20	3	33
10. Anderson.....	38	1	1	4	50. Dickey.....	16	9	15	34
11. Dekker.....	38	1	1	4	51. Fourt.....	16	21	3	35
12. J. C. Lyons.....	37	0	3	5	52. Denny.....	14	16	10	36
13. Thomas.....	37	0	3	5	53. Kraft.....	14	20	6	37
14. Bennett.....	37	2	1	6	54. Middough.....	14	24	2	38
15. G. D. Collins.....	37	2	1	6	55. Guthrie.....	13	19	8	39
16. R. C. Dills.....	36	1	3	7	56. Stephenson.....	13	20	7	40
17. Hollibaugh.....	34	2	4	8	57. Miller.....	13	24	3	41
18. McMillan.....	34	3	3	9	58. Stream.....	13	26	1	42
19. Burns.....	34	3	3	9	59. Sherwin.....	12	26	2	43
20. Debs.....	34	4	2	10	60. Price.....	11	17	12	44
21. Rosenthal.....	33	0	7	11	61. Gannon.....	11	23	6	45
22. O'Day.....	33	1	6	12	62. Call.....	11	24	5	46
23. Sheridan.....	33	3	4	13	63. Clarke.....	11	28	1	47
24. Burkhalter.....	33	4	3	14	64. C. W. Lyon.....	10	19	11	48
25. Wollenberg.....	33	4	3	14	65. Leonard.....	9	24	7	49
26. Brady.....	32	1	7	15	66. Werdel.....	9	27	4	50
27. Pelletier.....	32	1	7	15	67. Burke.....	9	28	3	51
28. Carey.....	31	4	5	16	68. Johnson.....	8	29	3	52
29. Beck.....	31	5	4	17	69. Geddes.....	8	30	2	53
30. Doyle.....	31	5	4	17	70. Erwin.....	7	31	2	54
31. Evans.....	31	5	4	17	71. Davis.....	7	32	1	55
32. Niehouse.....	31	5	4	17	72. Thorp.....	6	23	11	56
33. Brown.....	31	7	2	18	73. S. L. Collins.....	6	29	5	57
34. Emlay.....	31	7	2	18	74. Watson.....	6	30	4	58
35. Beal.....	30	2	8	19	75. Field.....	6	31	3	59
36. Crichton.....	30	8	2	20	76. Butters.....	6	32	2	60
37. C. A. Dills.....	28	6	6	21	77. Boyd.....	5	27	8	61
38. Crowley.....	27	7	6	22	78. Stewart.....	4	25	11	62
39. Heisinger.....	25	7	8	23	79. Knight.....	2	26	12	63
40. Robertson.....	22	10	8	24	80. Armstrong.....	1	9	30	64



**Black ● indicates good vote.      Red ● indicates bad vote.      — — indicates absent or not voting.**

A more complete analysis of many of the bills shown in this tabulation will be found in text of the report.

[illegible]

# TABULATED VOTE ON 27 SENATE ROLL CALLS

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

Limitations of space permit compilation here of only a limited number of the hundreds of roll calls that directly or indirectly affect the welfare of every member of the American Federation of Labor. The votes listed cover a reasonably wide range of subjects that are of special interest to workers. These particular roll calls were chosen in an effort to give as accurate a picture as possible of the attitude of the various senators toward a representative list of problems with which Labor is concerned. All roll calls are on final passage of the bill unless otherwise indicated.

A more complete analysis of many of the bills shown in this tabulation will be found in text of the report.

		UNEMPLOYMENT INSURANCE															WORKMEN'S COMPENSATION				LABOR CODE			MISCELLANEOUS							
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27			
SENATORS	Party	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	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	GOOD	BAD	ABSENT
		SB 615—Adopting modified federal definition of agricultural labor that would deprive thousands of workers of unemployment insurance benefits.																													
		SB 815—Curtailling unemployment insurance coverage of maritime workers.																													
		SB 989—Excluding insurance agents from coverage under Unemployment Insurance act.																													
		SB 1082—Providing unemployment insurance benefits for workers unemployed because of sickness or disability.																													
		SB 1082—Motion to reconsider the vote by which bill was refused passage.																													
		SB 1083—Providing several additional grounds for disqualification of applicants for unemployment insurance.																													
		SB 1084—Concurrence in Assembly amendments. Opponents sought to forestall concurrence to inject bad provisions of SB 989, that had been vetoed.																													
		SB 1191—Using employees' contributions to give employers further reduction of rates under merit rating provisions of law.																													
		SB 1191—Motion to reconsider vote whereby this bad bill was passed.																													
		AB 220—Making provisions of Unemployment Insurance law applicable to employers of one or more persons instead of four or more.																													
		AB 220—Motion to reconsider vote whereby bill was passed.																													
		AB 1537—Extending duration of unemployment insurance benefits to 26 weeks.																													
		AB 1538—Reducing waiting period for unemployment insurance from two weeks to one week.																													
		AB 2199—Passing on to the new purchaser of an enterprise all tax reductions earned by predecessor under merit rating.																													
		AB 2206—Exemption of Mexican nationals that would encourage unscrupulous employers to hire them for some jobs in preference to citizens.																													
		AB 116—Extending time for filing claims for compensation insurance from six months to one year.																													
		AB 116—Motion to reconsider vote by which bill was refused passage.																													
		AB 134—Granting not less than 75% of amount of total permanent disability to which injured worker is entitled, irrespective of sum paid for temporary disability.																													
		AB 1519—Giving injured worker right to receive treatments from a chiropractor as well as a physician.																													
		AB 58—Providing that women shall receive same pay as men for equal work.																													
		AB 335—Extending political rights of workers. Roll call is on bad amendment to incorporate provisions of a bill previously tabled in committee.																													
		AB 876—Motion to "indefinitely postpone," and thereby kill measure making many desirable changes in child labor laws.																													
		AB 274—Extending authorization for operation of child care centers for two more years.																													
		SB 829—Reducing time for filing suit for all claims for wages to one year.																													
		AB 1531—"Urban Redevelopment" bill, establishing legal machinery and procedure for rehabilitation of slum areas.																													
		AB 1879—Prohibiting publicly supported schools of printing from doing work in competition with commercial plants.																													
		AB 2057—Providing machinery for unemployment relief, to be ready in case of need.																													
		GOOD																													
		BAD																													
		ABSENT																													
Biggar	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	9	10	8	
Breed	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	5	14	8	
Brown	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	9	17	1	
Burns	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	6	13	8	
Carter	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	24	0	3	
Collier	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	15	9	3	
Crittenden	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	18	8	1	
Cunningham	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	12	9	6	
DeLap	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	20	4	3	
Desmond	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	5	11	11	
Deuel	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	13	11	3	
Dillinger	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	22	3	2	
Dilworth	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	1	23	3	
Donnelly	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	23	4	0	
Dorsey	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	16	3	8	
Fletcher	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	16	4	7	
Gordon	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	6	17	4	
Hatfield	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	7	18	2	
Hulse	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	7	19	1	
Jespersion	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	25	0	2	
Judah	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	20	7	0	
Keating	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	20	7	0	
Kuchel	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	6	20	1	
Mayo	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	11	11	5	
McBride	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	12	12	3	
McCormack	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	11	11	5	
Mixter	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	5	20	2	
Parkman	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	8	17	2	
Powers	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	11	8	8	
Quinn	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	16	10	1	
Rich	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	7	17	3	
Salsman	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	21	3	3	
Seawell	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	20	7	0	
Shelley	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	27	0	0	
Slater	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	21	4	2	
Sutton	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	10	16	1	
Swing	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	6	13	8	
Tenney	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	22	3	2	
Ward	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	9	14	4	
Weybret	R	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	8	17	2	
Totals		24-12	15-23	31-3	18-20	18-18	24-13	22-9	22-16	12-24	22-13	19-19	15-23	81-1	5-27	25-8	16-21	15-19	31-1	24-5	14-24	15-22	20-17	28-4	11-25	31-2	21-9	27-10			

**California Joint Labor Legislative Committee**  
**Representing American Federation of Labor and Railroad Brotherhood Unions**

**J. H. WASSERBURGER**  
Chairman

**C. J. HAGGERTY**  
Executive Secretary

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**California State Federation of Labor**  
**C. J. HAGGERTY**

**Brotherhood of Locomotive Engineers**  
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**State Council of Carpenters**  
**DAVID RYAN**  
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**San Francisco Labor Council**  
**JOHN A. O'CONNELL**

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**California State Theatrical Assn.**  
**ANTHONY L. NORIEGA**

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**Order of Railroad Telegraphers**  
**N. D. PRITCHETT**

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**California State Association of**  
**Electrical Workers**  
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**Brotherhood of Railway Carmen**  
**R. S. ROBERTS**

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**Order of Railway Conductors**  
**J. H. WASSERBURGER**

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**San Diego Federated Trades and**  
**Labor Council**  
**ROBERT E. NOONAN**



**SUPPLEMENTAL  
REPORT ON  
LABOR LEGISLATION**

**FIRST EXTRAORDINARY SESSION OF THE  
FIFTY-SIXTH CALIFORNIA LEGISLATURE**

**January 7 to February 19**

**1946**

*Issued by*  
**CALIFORNIA STATE FEDERATION OF LABOR**  
**C. J. HAGGERTY**  
Secretary and Legislative Representative

**402 Flood Building • 870 Market Street • San Francisco, 2**

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# SUPPLEMENTAL REPORT ON LABOR LEGISLATION

First Special Session of the 56th California Legislature,  
January 7 to February 19, 1946

## FOREWORD BY THE SECRETARY

With the sudden termination of the war in the Pacific last August it became immediately evident that it would soon be necessary to call a special session of the California legislature to consider problems in connection with reconversion to a peacetime economy. New laws were needed to protect the rights of California's returning veterans. Steps had to be taken to alleviate a critical housing shortage. Appropriations were necessary to launch a comprehensive program of public works which would cushion the shock of expected unemployment. Several emergency laws were on the statute books, effective only for the duration of hostilities, which required reenactment. The repeal of other wartime legislation was considered desirable. Liberalization of social security laws was deemed imperative to meet the needs of the reconversion period.

With these thoughts in mind, the Secretary of the California State Federation of Labor addressed a letter to Governor Earl Warren on August 23, 1945, asking that he call a special session of the legislature for the purpose of considering matters vital to the best interests of the state. In that communication a request was made that certain matters of general concern to Labor be placed on the agenda of an anticipated special session. Perhaps it should be stated here, parenthetically, that a special session of the legislature cannot consider any matter which is not included in the Governor's call.

Governor Warren's expected call was necessarily delayed, due partly to rapidly changing conditions within California, but chiefly because of uncertainty in regard to provisions of federal legislation with which it was considered desirable to coordinate state statutes. During that period of delay, supplemental requests were filed with the Governor by the State Federation, asking for consideration of other items. In all, thirteen recommendations were made, all but four of which were later included in the Governor's proclamation convening the legislature in special session on January 7, 1946.

Just prior to the meeting of the legislature, the Secretary called a Pre-Legislative Conference in Fresno on January 5, to which delegates from Labor Councils throughout the state were invited and which was well attended. At that conference all matters contained in the official

call were thoroughly discussed. None were found objectionable and the delegates deemed a majority of the items in Governor Warren's program worthy of active support.

By the time the legislature convened the Federation had bills drafted and ready for introduction on all subjects in which Labor was directly interested. The Secretary stayed in Sacramento throughout the session and maintained a staff adequate to deal with problems as they arose.

From the standpoint of the State Federation, the results achieved were highly gratifying, notwithstanding the fact that several matters, notably housing and urban redevelopment, failed to receive the consideration they deserved.

Outstanding accomplishment of the session was the enactment of the Federation-sponsored Disability bill, which is explained in more detail in subsequent pages of this report. Suffice it to say here that this measure is generally conceded to be the most important piece of social legislation enacted in nearly a decade. When the act becomes effective it will fill one serious void in the present social security structure by providing disability benefits for California workers who are unemployed because of sickness or as a result of accidents for which they are not entitled to workmen's compensation.

The new program will be financed exclusively by diversion of the present one per cent employees' contribution for unemployment insurance,

for which workers have been receiving no benefit whatsoever, into a special fund from which the disability payments will be made. This system of financing will provide a long needed protection for sick or injured workers without expense to either employers or taxpayers and with no additional cost to the employees themselves.

Some of the sharpest skirmishes of the legislative session centered around the disability measure. Even after a compromise bill had been drafted in conferences attended by all parties who displayed any interest in the subject, difficulties arose. Representatives of the CIO insisted on introducing last minute amendments, adoption of which would have inevitably killed the bill. That organization appeared more interested in effecting the defeat of a measure for which Governor Warren would naturally gain political prestige than in getting increased social benefits for their members.

The attempted sabotage by the CIO was even less understandable than the tactics of the California Medical Association, which also tried to inject amendments, which if adopted in the closing days of the session would have meant delay and the probable defeat of the bill. Certain employers groups also sought at the last minute to abrogate a previous understanding and forestall Senate concurrence in Assembly amendments.

All such efforts failed, however, and California will go down in history as the second state in the nation to provide this form of protection for its workers.

The Workmen's Compensation law was liberalized by raising benefits for both temporary and permanent disability from \$25 to \$30 per week. The importance of this legislation was largely overlooked because of the more hectic battles over the Disability Insurance bill. It should be pointed out, however, that this new amendment, together with changes made during the last regular session, vastly improves California's Workmen's Compensation law.

Of major interest to the Building Trades was the passage of a long list of bills appropriating an aggregate of more than a quarter of a billion dollars for diversified construction projects. All important bills on that subject are listed in another section of this report. Every community in California will benefit from this construction,

which will provide a backlog of jobs over a period of several years that should prove effective in stabilizing both business and employment.

Even though no adequately comprehensive housing program was launched and no assistance granted to local communities in connection with urban redevelopment programs, more than \$22,000,000 was appropriated for various types of housing projects. Veterans, agricultural workers and college students will be the direct beneficiaries.

The legislature insured continuation of California's child care centers until March 30, 1947. Before that time the next regular session of the legislature will meet and decide on the final disposition of these agencies which have proved a great boon to working mothers during the war-time emergency.

A study of this report will show that several other measures beneficial to Labor were enacted.

Every legislative session has its disappointments and this one was no exception. The so-called "Full Employment" bill, providing for a board charged with responsibility for making continuous economic surveys and recommendations in connection with employment problems, was defeated. All bills dealing with the subject of racial discrimination were stalled in Assembly committees and failed to reach the floor of that house for consideration by the membership.

It will be noted that only 10 Assembly and 12 Senate roll calls are compiled in the appended tabulation of votes, and those cover a very limited number of subjects. This is largely accounted for by the fact that bill after bill, many of them highly important, passed both houses by unanimous vote. Controversies in which Labor was interested were confined almost exclusively to the subjects listed.

The entire Labor Movement owes a debt of gratitude to Governor Warren and a long list of legislators for their interest in and support of measures designed to improve the welfare of California's workers and to provide employment opportunities during the present period of reconversion.

Respectfully submitted,  
C. J. HAGGERTY, Secretary,  
California State Federation of Labor.

## REVIEW OF LEGISLATION CONSIDERED AT SPECIAL SESSION

The first special session of the 56th California legislature met on January 7 and adjourned sine die on February 19. It was convened by a proclamation of Governor Earl Warren and legislators were prohibited by provisions of the state constitution from considering any matters not included in the Governor's official call.

The Governor's original proclamation contained fifty-three items upon which the legislature was asked to take action. Seventeen other matters were later added by two supplemental proclamations.

Prior to the issuance of the Governor's call the California State Federation of Labor had requested the inclusion of thirteen items, nine of which were covered by the proclamation. Those not included were: (1) amendments to the Unemployment Insurance act providing for maximum benefits of \$25 per week for 26 weeks; (2) elimination of present waiting period for unemployment insurance; (3) reenactment of emergency legislation insuring members of the armed forces of the right to vote; (4) a 40-hour week for state employees.

It was subsequently determined that legislation on the last two matters was not necessary.

The Legislative Counsel ruled that servicemen's right to vote was not in jeopardy and it was ascertained that the State Personnel Board now has the legal right to establish a 40-hour week for state employees.

Pursuant to the Governor's call, 302 bills were introduced, 175 in the Assembly and 127 in the Senate. In addition to the bills, many resolutions of various types were considered. The legislature passed and sent to the Governor for his approval 88 of the Assembly bills and 53 of the Senate measures. The Governor had not made final disposition of many of these bills at the time this report went to the printer.

For the information of State Federation affiliates, this report lists those bills of general interest to Labor and indicates the action taken thereon.

## DISABILITY INSURANCE

The enactment of **SB 40 (by Shelley et al)** was the outstanding achievement of the extraordinary session of the legislature just closed. This measure provides for the payment of disability benefits to workers unemployed because of sickness or injury not compensable under workmen's compensation laws.

The new system of disability insurance is under the jurisdiction of the California Stabilization Commission, which administers the Unemployment Insurance act. The first claim for each uninterrupted period of disability must be accompanied by a certificate of disability signed by a physician as defined in the Labor Code, and a finding must be made that the applicant is unable to perform his regular and customary work. Claims may be filed at any unemployment insurance office and procedures relative to applications and appeals are almost identical with those for unemployment insurance benefits.

The one per cent tax presently collected from employees for unemployment insurance benefits will, after the effective date of the act, be deposited in the Disability Insurance Fund from which payments for disability will be made. Employees will therefore receive the new benefits

without any additional cost whatsoever. Neither employers nor taxpayers contribute to the Disability Fund.

Benefit payments will commence one year after the effective date of the act unless the Federal Social Security Board permits the transfer of employees' contributions collected during 1944 and 1945 to the Disability Fund, in which case payments will start 90 days after the date of such transfer.

The amount and duration of benefits will be the same as for unemployment insurance, or from \$10 to \$20 per week for a period of from 9 to 23 weeks, depending on the applicant's earnings during his base period. A qualified individual is entitled to maximum benefits for either unemployment insurance or disability in-

surance in any benefit year, but only to one and one-half times the maximum benefits for a combination of both disability and unemployment.

An employer may, with the consent of a majority of his employees, elect to be self-insured or to provide disability benefits through a group insurance plan, subject, in either case, to approval of the Stabilization Commission. Numerous safeguards are thrown around all such voluntary plans, among which are provisions that benefits must be greater and the cost to employees no more than under the state plan.

The idea of disability insurance is not new. Rhode Island has had a similar system in operation for several years. Senator John F. Shelley of San Francisco, chief author of the bill just enacted, has long been an advocate of this type of insurance. He had previously introduced bills to establish such a system in three consecutive preceding sessions of the legislature, and it is doubtful if a disability measure could have been enacted at the recent session had it not been for his energy and his comprehensive knowledge of the subject.

Labor owes a debt of gratitude to Governor Warren for his forthright support of the measure. The Governor not only placed the subject in his official call for the special session, but made it perfectly clear that the matter rated No. 1 on his agenda of social legislation.

SB 40 was enacted only after numerous legislative battles. When the bill first came before the Senate for consideration, efforts were made to load it with amendments which would have made it completely innocuous. Ward offered an amendment limiting benefits for both unemployment and disability to present maximum allowed for unemployment benefits in any benefit year, which was adopted, 20 to 19 over the vigorous and able opposition of Senator Shelley. (Senate roll call No. 1.) The Senate later voted against reconsidering that bad amendment, 19 to 21. (Senate roll call No. 4.) This objectionable feature, however, was subsequently eliminated in the Assembly.

Another amendment by Ward, providing a seven-day waiting period for each period of disability, without any allowance for weeks of partial benefits, and considerably more restrictive than the provisions eventually incorporated in

the act, was defeated, 12 to 27. (Senate roll call No. 2.)

Desmond succeeded in inserting a loosely drawn amendment authorizing inclusion of voluntary plans by a vote of 23 to 16. (Senate roll call No. 3.) Objectionable features of this amendment were later rectified in the Assembly.

Dilworth then attempted to limit benefits to the amount of contributions an employee had paid into the Fund. This was defeated 6 to 30. (Senate roll call No. 5.)

Due to able handling of the bill by Senator Shelley, it eventually passed the Senate by a unanimous vote, after which it went to the Assembly Committee on Finance and Insurance. Prior to a hearing before that body, numerous conferences were held between proponents of the measure and groups opposing the bill and many differences were resolved. When the hearing was held, the Assembly committee heeded objections by Senator Shelley and rejected numerous amendments offered by dissident employers, by the California Medical Association and the CIO, and gave the bill a favorable recommendation by a unanimous voice vote.

When the bill reached the Assembly floor, however, elements intent on sabotage were again active. Middough, apparently at the request of one large corporation, proposed a vicious amendment to make the disability plan purely voluntary, which would have led directly to the insolvency of the Fund. This amendment was tabled on a motion of Waters by a vote of 43 to 19. (Assembly roll call No. 1.)

A series of amendments sponsored by the CIO was then offered. Those proposals, if adopted, would have led to defeat of the bill, as the proponents doubtless knew. As bitter opponents of Governor Warren, however, they proved themselves to be more interested in depriving the Governor, as well as the State Federation of Labor, of credit for a piece of far-reaching social legislation than in securing the enactment of a bill beneficial to California's workers. Assemblymen J. C. Lyons and Maloney were fortunately able to fight off all of their ill-advised amendments.

Sam L. Collins then introduced amendments, sponsored by the California Medical Association, which were apparently offered primarily to kill the bill by creating confusion and delay. On

motion of Thomas the amendments were tabled 36 to 29. (Assembly roll call No. 2.)

An amendment by Leonard denying benefits unless claimant proved he had obtained the best medical care to insure the quickest recovery from his disability was defeated by a vote of 13 to 47. (Assembly roll call No. 3.)

The bill then passed the Assembly, 66 to 5. (Assembly roll call No. 4.)

By the time the measure returned to the Senate for concurrence, at least one employers' group that had previously given tacit consent to major provisions of the bill denied any agreement had been reached and inspired a last minute flurry of opposition, spearheaded on the Senate floor by Desmond and Ward. Senator Shelley successfully overrode all objections and the Senate voted concurrence, 26 to 10 (Senate roll call No. 6), after which SB 40 went to the Governor for his approval.

AB 58 (by Lyons et al). As introduced, this bill was identical with SB 40. Assemblyman John

C. Lyons carried it successfully through the Committee on Finance and Insurance and brought it to the floor of the lower house. When proponents of disability insurance suggested that it would be good strategy to push SB 40, which had already passed the Senate by a unanimous vote, instead of acting on the Assembly bill, Lyons allowed his own measure to remain on file and actively supported the other bill. When a typographical error was later discovered in SB 40, Lyons co-operatively agreed to amend his AB 58 to correct that error and to make a technical change sought by certain insurance interests. The bill went through both houses in its amended form without opposition.

✓ SB 126 (by Shelley). This bill was enacted to appropriate funds that will permit disability payments provided for in SB 40 to begin immediately, if the Federal Social Security Board authorizes transfer of employees' contributions collected in 1944 and 1945 to the Disability Insurance Fund. It passed both houses unanimously.

## WORKMEN'S COMPENSATION

Second in importance only to the enactment of the Disability Insurance bill was passage of a measure liberalizing the Workmen's Compensation law, which brings benefits under that act into reasonable conformity with present day wage scales and living costs.

✓ AB 109 (by Maloney and Gaffney). Increasing benefits payable under the Workmen's Compensation law for both temporary and permanent disability from \$25 to \$30 per week. Since 1943, injured workers have received \$30 per week for temporary disability under an emergency statute scheduled to expire upon promulgation of a proclamation officially declaring the cessation of hostilities. Benefits for permanent disability, in the past, have been only \$25 per week.

This bill provides for payments of \$30 per week for both types of disability until the fall of 1947. As originally introduced by the State Federation, this measure made the increased benefits permanent, and it passed the Assembly by a unanimous vote in that form. The Senate Committee on Labor, however, insisted on the duration clause, which will give California's workers all benefits sought, but will necessitate introduction of another bill at the next regular session to make the liberalized act permanent.

SB 108 (by Carter). This bill was identical

with AB 109, summarized above. It was given a favorable recommendation by the Senate Committee on Labor. Before it was acted upon by the Senate, however, AB 109, which had already passed the Assembly, came to the floor of the upper house. In order to expedite passage of this legislation, Senator Carter then voluntarily dropped his own measure and threw his full support behind the Assembly bill.

SB 52 (by DeLap). Enacted by unanimous vote in both houses to clarify an ambiguity regarding the jurisdiction of the Director of the Department of Industrial Relations over self-insurers.

SR 34 (by Ward). Establishing an interim committee of five senators to make a study of problems in connection with workmen's compensation and appropriating \$10,000 for that purpose. The creation of this committee was doubtless inspired by insurance company representatives and its actions will be closely followed by State Federation representatives.

## PUBLIC WORKS

Over \$262,000,000 was appropriated for the purpose of financing the greatest public works program ever undertaken in California. The appropriations provide for projects in every city and every county in the state and many types of construction are involved.

This tremendous backlog of public works, which will supplement a still more extensive list of private projects, should assure a prosperous construction industry over a period of several years and have a salutary effect on sustaining high levels of employment throughout the reconversion period.

Following is a list of appropriation bills passed in connection with the state's building program. Not every dollar will go for new construction. Many of the measures include items for maintenance, repair and purchase of equipment. In some cases comparatively inconsequential sums are earmarked for administration and purchases of sites. Not all of these bills had been signed by the Governor at the time this report went to the printer.

**AB 26 (by Watson et al).** Appropriates \$667,500 to the Division of Fish and Game for construction, improvements, repairs and purchase of equipment.

**AB 35 (by Davis et al).** Appropriates \$7,000,000 to establish a medical school at the University of California in Los Angeles.

**AB 41 (by Middough et al).** Appropriates \$1,674,750 for construction and improvements in state parks.

**AB 42 (by Middough et al).** Appropriates \$574,850 for construction and improvement of state beaches.

**AB 51 (by Thurman).** Appropriates \$270,000 to the Division of Forestry for construction, improvements and purchase of equipment.

**AB 60 (by Field et al).** Appropriates \$90,000,000 to be allocated to cities and counties for specified types of public works. Most of the allocations must be matched by the local communities, which will substantially increase eventual expenditures. The act specifically states that appropriations to local governments are for the purpose of preventing and alleviating unemployment. A large part of this money must be spent on the construction of sewers and highways. This is the so-called "Christmas Tree" bill, which was vetoed by Governor Warren, but later passed over his veto.

**AB 61 (by Johnson et al),** Appropriates \$4,-

000,000 to expand the University of California Medical Center in San Francisco.

**AB 95 (by Wollenberg).** Appropriates \$385,000 for a state office building in Sacramento.

**AB 105 (by Clarke et al).** Appropriates \$77,200 for improvement of facilities at state border quarantine stations.

**AB 148 (by McCollister).** Appropriates \$50,000 for construction, improvements, repairs and equipment at Camp Taylor state park.

**AB 149 (by Johnson, Dunn and Crowley).** Appropriates \$108,000 for construction, improvement and equipment at the state's training center for adult blind in Alameda county.

**AB 156 (by Crowley et al).** Appropriates \$2,235,000 for a building program at the state veterans' home in Yountville.

**SB 27 (by Quinn et al).** Appropriates \$250,000 for a women's dormitory at Yountville.

**SB 31 (by Gordon).** Appropriates \$300,000 to supplement an allocation previously made to construct a dam on Rector creek in Napa county.

**SB 37 (by DeLap et al).** Appropriates \$154,000,000 for a comprehensive state building program. This is the measure sponsored by Governor Warren to provide funds for the expansion and rehabilitation of California's mental hospitals as well as to take care of the building needs of 10 other state departments and agencies. The appropriation is made without reference to fiscal years and may be expended at any time up to June 30, 1951. Factors to be considered in starting work on the various projects are: (1) immediate needs of the state agencies for improvements; (2) needs of state agencies in relation to the needs of private builders; and (4) providing public works to relieve unemployment.

**SB 41 (by Crittenden et al).** Allocates a total



of \$32,000,000 for flood control projects, of which \$695,000 is immediately appropriated. This money is to be used only in connection with projects approved by the federal government, which will expend additional sums in connection with the

flood control program greatly in excess of the state appropriation.

**SB 70 (by Tenney et al).** Appropriates \$300,000 for construction of hikers' and riders' trails in state parks and on state beaches.

## CHILD CARE CENTERS

California's child care centers have in the past been financed by the federal government, which had given notice that such support was to be withdrawn on March 1, 1946. An appropriation of state funds was therefore necessary to continue operation of the centers. One of the chief controversies in connection with these agencies was over whether they should be made permanent or continued on a temporary basis. The latter viewpoint, which was in conformity with recommendations of the State Federation, eventually prevailed. Here is a brief summary of the child care bills on which some legislative action was taken.

**AB 7 (by Johnson et al).** Establishing a policy under which child care centers are to be continued. Passed Assembly 72 to 2. (Assembly roll call No. 5.) Later passed Senate with but one dissenting vote.

**SB 45 (by Tenney).** Appropriating \$3,500,000 for support of child care centers until March 30, 1947. Provides that none of this money can be expended for the care of any child unless a reasonable fee is paid by the parent. The bill also contains a "means test," providing that no money can be spent for the care of any child unless parent shows to satisfaction of the governing board that he is not financially able to provide otherwise for the care of the child. Children of veterans are excepted from the latter provision. Bill passed the Senate 32 to 6. (See Senate roll call No. 7.) In the Assembly, an amendment by G. D. Collins was adopted, by a vote of 36 to 33, deleting the means test. (Assembly roll call No. 6.) Vote by which amendment was adopted was later reconsidered, 42 to 32. (Assembly roll call No. 7.) After the eventual defeat of the Collins

amendment the bill passed the Assembly unanimously.

**SB 46 (by Tenney).** A bill similar to **AB 7**, establishing policy relative to operation of child care centers. When this measure was under consideration in the Senate an amendment was offered by Burns limiting the use of the centers exclusively to children of veterans. The amendment was defeated 16 to 21. (Senate roll call No. 8.) After defeat of that amendment Burns moved that the bill be re-referred to the Committee on Governmental Efficiency. That motion was defeated 11 to 26. (Senate roll call No. 9.) The bill then passed the Senate, 31 to 6. (Senate roll call No. 10.) The measure died later in the Assembly after enactment of **AB 7**, which made passage of this bill unnecessary.

**ACR 3 (by Johnson et al).** Creates an interim committee to study problems in connection with operation of child care centers and appropriates \$25,000 for making the survey.

## HOUSING

The legislature refused to make any appropriation to local communities to be used in connection with urban redevelopment programs and also failed to consider any proposals for a comprehensive public housing program. A total of \$22,750,000 was, however, appropriated for temporary housing for veterans and agricultural workers and for permanent dormitories for students at state colleges and universities. Following is a list of housing bills on which some legislative action was taken.

**AB 47 (by Johnson et al).** Appropriates \$7,170,000 to the University of California, most of which is to be used to provide permanent housing for students on the various campuses of that institution. Passed both houses without opposition.

**AB 52 (by Maloney and Burke).** Appropriates \$7,500,000 for the purpose of providing temporary housing for veterans and their families. This money is to be expended through local govern-

mental agencies, which must bear 10 per cent of the cost involved, most of which will be in connection with the expense of moving, rehabilitating, remodeling and providing sites for structures made available by the federal government. No money can be expended from this appropriation for any purpose for which federal funds are available. Enactment of this measure is expected to provide about 7000 housing units. Passed both houses unanimously.

**AB 90 (by Call and McCollister).** Appropriating \$2,500,000 to the Veterans Welfare Board for the purpose of acquiring or erecting housing units at colleges and universities for the use of student veterans. This bill passed the Assembly with but one dissenting vote, but later died in the Senate Committee on Finance.

**AB 104 (by Thompson and Miller).** Appropriates \$5,830,000 for the purpose of providing permanent housing for students on the campuses of the various state colleges. Passed both houses unanimously.

**AB 137 (by Guthrie et al).** Appropriates \$2,000,000 to provide temporary housing for agricultural workers. This bill passed the Assembly

unanimously and was adopted by a vote of 28 to 2 in the Senate. (Senate roll call No. 11.)

**AB 163 (by Maloney and Wollenberg).** Appropriating \$97,000 to the State Housing Commission to be used in making survey of housing conditions in California. Passed the Assembly with but one dissenting vote, but was later defeated in the Senate, 14 to 16. (Senate roll call No. 12.)

**SB 24 (by Quinn et al).** Appropriates \$250,000 to provide temporary housing for student veterans at colleges and universities.

**AJR 3 (by Lyons et al).** Memorializing Congress to enact the Wagner-Ellender-Taft bill. Passed both houses unanimously.

**ACR 20 (by Stewart et al).** Creating a joint legislative interim committee and providing it with \$5000 to make a trip to Washington to seek changes in rent regulations and in administrative procedures which, it is claimed by proponents of the measure, may expedite and stimulate construction of homes in California. Opponents suspected this was an attempt to sabotage effective rent control. The resolution passed the Assembly 48 to 13. It was adopted by unanimous vote in the Senate.

## THE "FULL EMPLOYMENT" BILL

**AB 55 (by McMillan et al).** Establishing a State Economic Council charged with responsibility for making a continuous survey of economic conditions in California, preparing production and employment budgets and for making periodic reports to the Governor and the Legislature on all factors affecting employment in the state. The measure also provided for a joint legislative committee of four Assemblymen and four Senators. It was to be the function of that joint committee to study the employment budget prepared by the council and to report its findings and recommendations relative to that budget to the legislature.

An appropriation of \$285,000 was made to the council to carry out the provisions of the act, a considerable portion of which was to be expended through established state agencies for the purpose of compiling necessary statistical data. The council was proposed primarily as a coordinating agency to gather and interpret statistics to be used by both legislative and administrative branches of the state government in an effort to insure maximum employment by fostering free competitive enterprise and encouraging full utilization of California's extensive natural resources.

The measure was offered as a part of Governor Warren's economic program and had full support of Labor and of important business leaders. Don-

ald Nelson, former head of the War Production Board, was among those who appeared before the Assembly Committee on Ways and Means to urge its enactment.

A minority group of conservative legislators, however, professed to see in this proposal a threat to free enterprise and damned it as a scheme to waste the taxpayers' money. When it came before the Assembly for final passage it was defeated, 49 to 23. Because it carried an appropriation, 54 votes were needed for passage. (Assembly roll call No. 8.) A subsequent motion to reconsider failed, 47 to 18, with 54 votes again needed for favorable action. (Assembly roll call No. 9.)

## RACIAL DISCRIMINATION

Three bills were introduced during the session which had for their purpose the prevention of discrimination in employment because of race, religion, color, national origin or ancestry. **AB 11** (by **Hawkins et al**) and **AB 31** (by **Evans et al**) were identical measures. **AB 97** (by **Miller et al**) was aimed at the same abuses as the other two measures, but provided for somewhat different enforcement procedures.

All of these bills were patterned after a New York statute which has proved its worth in that state. The measure provided for creation of a commission authorized to conduct educational campaigns and empowered to prevent racial discrimination through conciliation and resort to established legal procedures.

Enactment of a bill for this purpose was recommended by Governor Warren and endorsed by the State Federation. California employers, however, seemed to be almost unanimous in their

opposition to this type of legislation. The Associated Farmers also objected strenuously.

Hearings were held on **AB 11** and **AB 97** before the Assembly Committee on Governmental Efficiency and Economy, which refused to give either bill a favorable recommendation. After this setback Miller moved on the floor of the Assembly that **AB 97** be withdrawn from that committee and re-referred to the Committee on Ways and Means. The motion carried 42 to 27. (Assembly roll call No. 10.) The Ways and Means Committee thereupon refused a "do pass" recommendation and the bill died in committee.

## VETERANS LEGISLATION

Numerous bills were enacted for the welfare and protection of California veterans. State agencies dealing with veterans' affairs were re-organized. Extensive changes were made in the Veterans' Welfare act under which farms and homes may be purchased. Legislation was passed to protect the employment and retirement rights of former members of the armed forces in all

branches of public service. Changes affecting veterans were made in civil service laws.

Legislation relative to veterans' affairs was so voluminous that no effort is made to analyze it in this report. The California State Federation of Labor, however, has obtained copies of a booklet prepared by the Legislative Counsel summarizing all bills introduced on this subject, which will be mailed to interested parties on request.

## OTHER BILLS OF GENERAL INTEREST

**AB 15** (by **Burns**). Appropriates \$175,000 to the Department of Industrial Relations to be used in connection with that agency's apprenticeship training program. This appropriation supplements funds previously allocated for the same purpose. The additional money will enable the department to properly care for the many veterans who now seek on-the-job training. Bill passed both houses unanimously. Another measure, **SB 60** (by **Quinn**), also passed unanimously. The latter bill appropriates \$75,000 to the Department of Education to be used in connection with that agency's part in the apprenticeship training program.

**AB 39** (by **Lyons and Maloney**). This bill was introduced to repeal an emergency wartime stat-

ute, which temporarily relaxed provisions of the law relating to the employment of women. The bill passed the Assembly unanimously, but was killed by the Senate Committee on Labor.

**AB 40** (by **Maloney and Lyons**). Repeals the Minors Emergency War Employment act and revokes all outstanding permits issued thereunder. That law was enacted in 1943 to temporarily relax child labor laws during the wartime emergency. The bill passed both houses by a unanimous vote.

**AB 82** (by **Stephenson**). Will protect retirement rights of former state employees now with the United States Employment Service if that agency is returned by Congress to state jurisdic-

tion. The employment service was formerly operated by the state, but taken over by the federal government in 1941. This measure affects only those employees who were on the state payroll prior to that time when and if they are returned to state service.

**AB 102 (by Maloney and Gaffney).** Appropriates \$25,000 to the Department of Industrial Relations to be used in connection with the conciliation and mediation of labor disputes. The department has been authorized to exercise that func-

tion since 1939, providing all bona fide parties to the dispute request such intervention, but has never had any money with which to carry on such work. The State Federation joined with the department in requesting funds for this function. Bill passed both houses unanimously.

**AJR 18 (by Maloney et al).** Memorializes Congress to increase federal minimum wage level from present inadequate figure of 40 cents per hour. Passed both houses without a dissenting vote.

## STATE OFFICERS AND MEMBERS OF THE 1945 LEGISLATURE

Governor—Earl Warren, State Capitol, Sacramento

Lieutenant-Governor—Frederick F. Houser, State Building, Los Angeles

Speaker of the Assembly—Charles W. Lyon, Beverly Hills

President Pro Tempore of the Senate—Jerrold L. Seawell, Roseville

## SENATORS

Name	Party	Dist.	City	Name	Party	Dist.	City
Biggar, George M.	R	4	Covelo	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	Kuchel, Thomas H.	R	35	Anaheim
Burns, Hugh M.	D	30	Fresno	Mayo, Jesse M.	R	26	Angels Camp
Carter, Oliver J.	D	5	Redding	McBride, James J.	D	33	Ventura
Collier, Randolph	R	2	Yreka	McCormack, Thomas	R	15	Rio Vista
Crittenden, Bradford S.	R	20	Stockton	Mixter, Frank W.	R	32	Exeter
Cunningham, R. R.	D	27	Hanford	Parkman, Harry L.	R	21	Millbrae
DeLap, T. H.	R	17	Richmond	Powers, Harold J.	R	1	Eagleville
Desmond, Earl D.	D	19	Sacramento	Quinn, Irwin T.	D	3	Eureka
Deuel, Charles H.	D	6	Chico	Rich, W. P.	R	10	Marysville
Dillinger, H. E.	D	9	Placerville	Salsman, Byrl R.	R	18	Palo Alto
Dilworth, N. S.	R	37	Hemet	Seawell, Jerrold L.	R	7	Roseville
Donnelly, Hugh P.	D	22	Turlock	Shelley, John F.	D	14	San Francisco
Dorsey, Jesse R.	R	34	Bakersfield	Slater, Herbert W.	D	12	Santa Rosa
Fletcher, Ed.	R	40	San Diego	Sutton, L. G.	R	8	Maxwell
Gordon, Frank L.	R	11	Suisun	Swing, Ralph E.	R	36	San Bernardino
Hatfield, George J.	R	24	Newman	Tenney, Jack B.	R	38	Los Angeles
Hulse, Ben.	R	39	El Centro	Ward, Clarence C.	R	31	Santa Barbara
Jespersen, Chris N.	R	29	Atascadero	Weybret, Fred.	R	25	Salinas

## ASSEMBLYMEN

Name	Party	Dist.	City	Name	Party	Dist.	City
Allen, Don A.	D	63	Los Angeles	Haggerty, Gerald P.	D	25	San Francisco
Anderson, Glenn M.	D	46	Hawthorne	Hawkins, Augustus F.	D	62	Los Angeles
Armstrong, Douglas P.	R	73	Redlands	Heisinger, S. L.	D	35	Fresno
Beal, Ralph A.	D	54	Los Angeles	Hollibaugh, Jonathan J.	R	52	Huntington Park
Beck, Julian	D	41	San Fernando	Johnson, Gardiner	R	18	Berkeley
Bennett, Elwyn S.	D	51	Los Angeles	Kilpatrick, Vernon	D	55	Los Angeles
Berry, William Clifton	D	23	San Francisco	King, Albert M.	D	4	Oroville
Boyd, Philip L.	D	76	Palm Springs	Knight, T. Fenton	R	48	La Canada
Brady, Bernard R.	D	19	San Francisco	Kraft, Fred H.	R	78	San Diego
Brown, Ralph M.	D	30	Modesto	Leonard, Jacob M.	R	32	Hollister
Burke, Montivel A.	R	53	Alhambra	Lowrey, Lloyd W.	D	3	Rumsey
Burkhalter, Everett G.	D	42	North Hollywood	Lyon, Charles W.	R	59	Beverly Hills
Burns, Michael J.	R	1	Eureka	Lyons, John C.	R	64	Los Angeles
Butters, George R.	R	77	Brawley	Maloney, Thomas A.	R	20	San Francisco
Call, Harrison W.	R	27	Redwood City	Massion, Jack	D	66	Los Angeles
Carey, Edward J.	R	17	Emeryville	McCollister, Richard H.	R	7	Mill Valley
Clarke, George A.	R	31	Le Grand	McMillan, Lester A.	D	61	Los Angeles
Collins, George D., Jr.	D	22	San Francisco	Middough, Lorne D.	D	70	Long Beach
Collins, Sam L.	R	75	Fullerton	Miller, Raup	R	28	Palo Alto
Crichton, J. G.	D	34	Fresno	Niehhouse, Kathryn T.	R	79	San Diego
Crowley, Ernest C.	D	5	Fairfield	O'Day, Edward F.	D	24	San Francisco
Davis, M. Philip	R	60	Los Angeles	Pelletier, John B.	D	44	Los Angeles
Debs, Ernest E.	D	56	Los Angeles	Price, R. Fred	R	72	Upland
Dekker, Albert	D	57	Los Angeles	Robertson, Alfred W.	D	37	Santa Barbara
Denny, Paul	R	2	Etna	Rosenthal, William H.	D	40	Los Angeles
Dickey, Randal F.	R	14	Alameda	Sawallisch, Harold F.	D	10	Richmond
Dills, Clayton A.	D	67	Gardena	Sheridan, Bernard A.	R	15	Oakland
Dills, Ralph C.	D	69	Compton	Sherwin, Marvin	R	16	Piedmont
Doyle, Thomas J.	D	45	Los Angeles	Stephenson, Dwight H.	R	9	Elk Grove
Dunn, Francis, Jr.	D	13	Oakland	Stewart, Albert I.	R	47	Pasadena
Emlay, Fred	D	33	Salinas	Stream, Charles W.	R	80	Chula Vista
Erwin, Thomas M.	R	50	Puente	Thomas, Vincent	D	68	San Pedro
Evans, John W.	D	65	Los Angeles	Thompson, John F.	R	29	San Jose
Field, C. Don	R	43	Glendale	Thorp, James E.	R	12	Lockeford
Fletcher, Carl	D	71	Long Beach	Thurman, Allen G.	R	6	Colfax
Fourt, Walter J.	R	38	Ventura	Waters, Frank J.	R	58	Los Angeles
Gaffney, Edward M.	D	26	San Francisco	Watson, Clyde A.	R	74	Orange
Gannon, Chester F.	R	8	Sacramento	Weber, Charles M.	R	11	Stockton
Geddes, Ernest R.	R	49	Pomona	Werdel, Thomas Harold	R	39	Bakersfield
Guthrie, C. L. (Deceased)	D	36	Porterville	Wollenberg, Albert C.	R	21	San Francisco

# TABULATED VOTE ON 10 ASSEMBLY ROLL CALLS

Black ● indicates good vote. Red ● indicates bad vote. — indicates absent or not voting.

Here is a compilation of 10 roll calls on issues of general interest to Labor. These particular votes were chosen to reveal as accurately as possible the attitude of California's Assemblymen on the program of social legislation which was under consideration during the first special session of the 56th legislature.

	DISABILITY INSURANCE					CHILD CARE CENTERS			MISCELLANEOUS			GOOD	BAD	ABSENT
	1	2	3	4	5	6	7	8	9	10				
	SB 40—Vote on motion to table bad amendment by Middough making plan purely voluntary, which would have directly led to insolvency of the disability fund.	SB 40—Vote on motion to table bad amendments by S. L. Collins, sponsored by medical association, introduced to delay action on bill and thereby kill it.	SB 40—Vote on adoption of bad amendments by Leonard, denying benefits unless claimant proved he had obtained the best medical care which insured the quickest possible recovery from his disability.	SB 40—Vote on final passage of the bill, establishing a system of disability insurance for California workers.	AB 7—Vote on final passage of bill to continue operation of child care centers.	SB 45—Vote on adoption of good amendment by G. D. Collins to delete "means test."	SB 45—Vote on motion to reconsider vote by which amendment of G. D. Collins was adopted.	AB 55—Vote on final passage of so-called "Full Employment" bill.	AB 55—Vote on motion to reconsider vote by which "Full Employment" bill had previously been refused passage.	AB 97—Vote on motion to withdraw bill prohibiting racial discrimination from committee on Governmental Efficiency and Economy and re-refer to Committee on Ways and Means.				
Allen	●	●	—	●	●	●	●	●	●	●	●	7	2	1
Anderson	●	●	—	●	●	●	●	●	●	●	●	10	0	0
Armstrong	—	—	—	—	—	—	—	—	—	—	—	1	0	9
Beal	●	●	●	●	●	●	●	●	●	●	●	10	0	0
Beck	●	●	●	●	●	●	●	●	●	●	●	9	1	0
Bennett	—	—	—	—	—	—	—	—	—	—	—	9	0	1
Berry	●	●	●	●	●	●	●	●	●	●	●	10	0	0
Boyd	●	●	●	●	—	—	●	●	●	●	●	1	8	1
Brady	●	●	●	●	●	—	●	●	●	●	●	8	1	1
Brown	●	●	●	●	●	●	●	●	●	●	●	10	0	0
Burke	●	●	●	●	●	●	●	●	●	●	●	3	7	0
Burkhalter	●	●	●	●	●	—	●	●	●	●	●	9	0	1
Burns	●	●	●	●	●	●	●	●	●	●	●	8	2	0
Butters	●	●	●	—	—	—	—	—	—	—	—	1	7	2
Call	●	●	—	●	—	—	—	—	—	—	—	2	7	1
Carey	●	●	—	●	●	●	●	●	●	●	●	9	1	0
Clarke	●	●	●	●	●	●	●	●	●	●	●	2	8	0
Collins, G. D.	●	●	●	●	●	—	—	—	—	—	—	10	0	0
Collins, Sam L.	●	●	●	●	●	●	●	●	●	●	●	2	7	1
Crichton	●	●	●	●	●	●	●	●	●	●	●	8	2	0
Crowley	●	●	●	●	●	●	●	●	●	●	●	10	0	0
Davis	●	●	●	●	●	●	●	●	●	●	●	3	7	0
Debs	●	●	—	—	—	—	—	—	—	—	—	7	1	2
Dekker	—	—	—	—	—	—	—	—	—	—	—	2	0	8
Denny	—	—	—	—	—	—	—	—	—	—	—	2	2	6
Dickey	—	—	—	—	—	—	—	—	—	—	—	5	2	3
Dills, C. A.	●	●	●	●	●	●	●	—	—	—	—	9	0	1



# TABULATED VOTE OF 12 SENATE ROLL CALLS

Black ● indicates good vote.

Red ● indicates bad vote.

— — indicates absent or not voting.

Here is a compilation of 12 roll calls on issues of general interest to Labor. These particular votes were chosen in an effort to reveal as accurately as possible the attitude of California's Senators on the program of social legislation which was under consideration during the first special session of the 56th legislature.

SENATORS	DISABILITY INSURANCE										CHILD CARE				HOUSING													
	1		2		3		4		5		6		7		8		9		10		11		12					
	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 40—Vote on bad amendment by Ward, limiting benefits for both unemployment and disability to present maximum allowed for unemployment benefits in any benefit year.		SB 40—Vote on bad amendment by Ward, providing 7-day waiting period for each period of disability, without allowance for weeks of part total benefits. More restrictive than provision adopted.		SB 40—Vote on bad amendment by Desmond to insert loosely drawn provisions authorizing inclusion of employers' voluntary insurance plans in disability system.		SB 40—On motion to reconsider adoption of Ward amendment, previously adopted. (See roll call No. 1)		SB 40—Vote on bad amendments by Dilworth, limiting benefits to amount of contributions employee has paid into Fund.		SB 40—Concurrence in Assembly amendments, that were essential to insure enactment of bill and acceptable to author and State Federation of Labor.		SB 45—Vote on final passage of bill carrying appropriation for support of child care centers.		SB 46—Vote on bad amendment by Burns, limiting use of child care centers to children of veterans.		SB 46—Vote on motion by Burns to re-refer child care centers bill back to Committee on Governmental Efficiency.		SB 46—Vote on final passage of bill continuing child care centers. (This bill died later, after adoption of AB 7, which contained almost identical provisions.)		AB 137—Vote on final passage of measure appropriating \$2,000,000 for temporary housing for agricultural workers.		AB 163—Vote on final passage of measure appropriating \$97,000 to State Housing Commission to make a comprehensive survey of California's housing problems.					
Biggar		●	●		●		●		—	—	●		●		●		●		●		●		●		8	3	1	
Breed	●		—	—	●			●		●	●		●			●		●		—	—		●		6	4	2	
Brown	●			●	●			●				●			●		●		●		—	—		—	5	6	1	
Burns	●				●			●		—	—	—	—	●			●		●		—	—		—	3	5	4	
Carter		●		●		●		●			●	—	—			●		●		—	—		—	11	0	1		
Collier		●		●	●			●			●	—	—			●		●		●		●		8	3	1		
Crittenden		●			●			●			●					●		●		●		●		11	1	0		
Cunningham	—	—		●		●		●			●				●		●		●				●		10	1	1	
DeLap		●		●	●			●			●				●		●		●		●		●		10	2	0	
Desmond	●		●		●			●		—	—		●		●		●				●		—	—	1	9	2	
Deuel	●			●		●				—	—		●		●		●				—	—	●		7	4	1	
Dillinger		●		●		●		●			●				—	—	●		●		●		●		11	0	1	
Dilworth	●		●		●			●		●			●			●		●		●		●		●		5	7	0
Donnelly		●				●		●			●				●		●		●		●		●		9	3	0	
Dorsey	●			●		●		●			●				●		●		●		●		●		10	2	0	
Fletcher		●		●		●		●			●				●		●		—	—	—	—	—	—	9	1	2	
Gordon	●			●	●			●		●			●			—	—	—	—	—	—	—	—	—	3	7	2	
Hatfield	●		●		●			●		●			●		●		—	—	—	—	●		●		1	11	0	
Hulse	●		●		●			●		●			●		●		●		—	—	●		—	—	1	10	1	
Jespersen		●		●		●		●			●		●		●		●		—	—	—	—	—	—	10	0	2	
Judah		●		●		●		●			●		●		●		●		●		●		●		11	1	0	
Keating	●		●		●			●			●		●		●		●		—	—	—	—	●		4	7	1	
Kuchel	●		●		●			●			—	—		●		●		—	—	—	—	—	—	—	1	8	3	
Mayo		●				●		●			●		—	—	—	—	—	—	—	—	—	—	—	—	8	0	4	
McBride	●			●		●		●			●		—	—	—	—	—	—	—	—	—	—	—	—	9	2	1	
McCormack		●		●		●		●			●		—	—	—	—	—	—	—	—	—	—	—	—	8	3	1	
Mixter	●		●		—	—		●			●		●		●		●		●		●		●		5	6	1	
Parkman	●			●	●			●			●		●		●		●		●		●		●		6	6	0	
Powers		●				●		●			●		●			—	—	—	—	—	●		●		5	5	2	
Quinn		●		●		●		●			●		●		●		●		—	—	●		—	—	10	1	1	
Rich	●			●	●			●			●		●		●		●		—	—	—	—	—	—	6	6	0	
Salsman		●		●	●			●			●		●		●		●		—	—	—	—	—	—	10	1	1	
Seawell	●			●	●			●			●		●		●		●		—	—	●		●		7	5	0	
Shelley		●		●		●		●			●		●		—	—	●		●		●		●		11	0	1	
Slater		●		●		●		●			●		●			●		●		●		●		11	1	0		
Sutton	●		●		●			●		●		●		●		●		●		●		●		●		6	6	0
Swing		●				●		●		●		—	—	●		●		●		—	—	●		●		11	1	0
Tenney		●		●		●		●			—	—	—	●		●		●		—	—	—	—	—	10	0	2	
Ward	●							●			—	—	—	●		●		●		—	—	●		●		6	5	1
Wevbret	●		●		●			●		—	—		●		●		●		●		●		●		5	6	1	
Totals	20-19		12-27		23-16		19-21		6-30		26-10		32-6		16-21		11-26		31-6		28-2		14-16					



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