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THE SACRAMENTO STORY

Labor and the California Legislature - 1953

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LABOR LEGISLATION

REPORT ON 1953 REGULAR SESSION OF THE CALIFORNIA LEGISLATURE

January 5 to 17, and February 24 to June 10

1953



Issued by
CALIFORNIA STATE FEDERATION OF LABOR
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REPORT ON LABOR LEGISLATION

1953 Regular Session of the California Legislature
January 5 to 17, and February 24 to June 10, 1953

FOREWORD BY THE SECRETARY

Despite powerful and well financed attacks, labor came out of the 1953 general session of the state legislature with its trade union structure intact and with certain positive gains, including a major victory in the form of an improved disability insurance law.

Essentially, that's the story of the 1953 session, but behind that capsule summation are tense months of fighting and planning against the most aggressive raids on trade union liberty in the modern legislative history of California.

Following the forbidding prospects of early March, organized labor survived fanatical assaults on both trade union practices and the progressive social legislation which has long been a part of California law.

It is a matter of encouragement that these aggressions were withstood largely because AFL unions and councils on the homefront spoke the minds of millions of wage earners during the critical committee and floor tests of the 1953 session.

THE SACRAMENTO STORY attempts to review the 1953 legislature in the light of the more important happenings.

This review weighs all measures which directly affected trade union functions, such as hiring practices and picketing rights.

It also presents the experience of every bill relating to the welfare of the working people of California, including disability insurance, housing, taxation, industrial safety, and other areas of practical importance.

In mid-January, the State Federation, through sponsorship of more than 160 bills, introduced its expansive program of economic and social progress. Headlining AFL plans were bills to establish a state minimum wage of \$1.25 per hour, create a state FEPC, repeal the California jurisdictional strike act, and increase coverage and benefits in both disability and unemployment insurance and workmen's compensation. The state AFL bills also called for changes in laws covering agricultural labor, barbers and cosmetologists, civil rights, education, employment agencies, industrial safety, public housing, public works, state, county and municipal employees, and truck driving operations.

However, because of the dearth of lawmakers

friendly to such a positive program, the major emphasis of the session necessarily became defensive.

Trade Union Bills

Key raids on trade union liberties centered about a measure to impose a compulsory open shop law on the wage earners of California.

Introduced and pushed by Assemblyman Harold K. Levering (R., Los Angeles), the open shop bill would have outlawed the union shop, the closed shop, maintenance of membership, and all other compromise forms of union shop agreements providing for payment of service fees for bargaining efforts.

The cold, studied violence of this bill was made clear by the provisions which declared any agreement or combination to secure such provisions contrary to public policy an illegal combination or conspiracy, thus restoring the common law concept that labor organizations are monopolies and subject to anti-trust law prosecution.

Following the defeat of the Levering measure in committee, a second attempt to impose the open shop was made by Assemblyman LeRoy E. Lyon (R., Fullerton), by pressing for the enactment and submission to the voters of a constitutional amendment almost identical to the Levering bill. This measure was also defeated in committee. Other measures aimed directly at labor, but abandoned by their authors, included bills denying labor the right to strike, picket, or boycott in secondary actions ("hot cargo" bills); a so-called anti-feather bedding bill which denied unions the right to nego-

tiate for either the number of workers or conditions of work required in job operations in the printing industry; a bill to saddle every union and grievance committee in the state with filing annual detailed financial statements with the Secretary of State; and a proposal to write the racial hatreds of blighted southern areas into the constitution of California as well as impose the open shop on California workers.

Workmen's Compensation

No major gains were achieved in the sphere of workmen's compensation. Of some 50 Federation-sponsored bills, only three minor ones were enacted into law, with the heart of the AFL program being killed by hostile committees in both Assembly and Senate.

However, all attempts of the combined employer-insurance lobby to repeal benefits in workmen's compensation enacted during the past 15 years were also defeated.

As in the case of unemployment insurance, the status quo was preserved.

Unemployment Insurance

The failure of the 1953 legislature to consider long-needed liberalization of the unemployment insurance law was over-shadowed by a sinister campaign to emasculate this essential program.

The major threat to unemployment insurance came in a bill which would have disqualified approximately 150,000 workers from protection of the law. This measure, although passed by the Assembly Committee on Finance and Insurance, was killed by action of the Assembly, which referred it to committee after floor consideration.

The State Federation found it impossible to secure passage of any part of its unemployment program.

But, while no progressive measures of any significance were enacted, the State Federation did score a significant defensive victory in blocking every critical assault on the unemployment program.

Disability Insurance

In the way of positive accomplishments, we made our principal advance in the field of unem-

ployment disability insurance by boosting weekly benefits from \$30 to \$35 and increasing daily hospital benefits from \$8 to \$10 for the 12 days permitted by law.

Also, two 26-week disability periods may now be compensated during the calendar year instead of the one previously permitted.

However, the legislature also enacted a provision suspending for two years the "adverse risk" clause in the law which prohibits private carriers from selecting only preferred risks and leaving the adverse risks for the state plan. This provision will require careful study and analysis in the next two years.

THE SACRAMENTO STORY includes under topical headings the fate of other measures affecting the welfare of labor, such as those relating to civil rights, taxation, and farm labor.

Labor's friends and foes are indicated in the final pages of this report in the tabulation of roll call votes, but it should be recalled that such a tabulation is not fully conclusive, since much of the legislative process is embodied in committee action for which voting records are not easily available.

The State Federation will publish, at a later date, a supplementary list of all committee votes informally recorded by our representatives during the 1953 session.

In closing, I wish to express personal appreciation of the vigorous and untiring services of the officers and staff members of the Federation who aided my work at Sacramento. Legal adviser Charles P. Scully and Vice President Harry Finks were invaluable, and top assistance was also given by President Thomas L. Pitts and the members of the legislative committee: Arthur F. Dougherty, chairman; Max J. Osslo, Pat Somerset, Robert S. Ash, and Paul Reeves.

I trust that study and appraisal of the record of the 1953 legislature will make sharply clear the imperative need for efficient political action. Unless such a conclusion is drawn from the Sacramento story, the lessons of the past year will have been largely futile.

Fraternally submitted,
C. J. HAGGERTY.

SUMMARY AND REPORT ON LEGISLATION

ALCOHOLIC BEVERAGES

A Federation measure to allow the issuance of on-sale liquor licenses to local unions failed, as did two adverse proposals, one of which had as its aim the licensing of bartenders.

Attempts to increase excise taxes on beer, wine and liquor are reported under TAXES.

Bills marked * were sponsored by the Federation

Good Bills

*AB 2413 (McMillan). Provided for the issuance of on-sale general liquor licenses to union locals meeting certain conditions. Received favorable committee recommendation, but died on Assembly floor.

SB 344 (Powers). Allows sale of liquor to full-blooded Indians. Chapter 146.

Bad Bills

AB 1854 (Morris). Prohibited on- or off-sale of liquor

from 2 a.m. Sunday to 6 a.m. Monday. Died in Assembly committee.

SB 1726 (Desmond). Originally a bad bill which required the licensing of bartenders by the State Board of Equalization. As amended and passed, is an unobjectionable bill prohibiting the sale of liquor in election districts or precincts during election hours when a school district election is in progress. Chapter 1860.

APPRENTICESHIP

Possible adverse effects on apprenticeship training resulting from the inclusion of restrictions on adult education in the 1953 school apportionment law are reported under SCHOOLS.

Good Bills

ACR 17 (Niehouse and Luckel). Expresses approval of Western States Conference on Training, to be held in San Diego in 1953, and invites governors of western states to attend. Resolutions, Chapter 42.

Bad Bills

AB 689 (Stewart). Provided that journeymen certified under the apprenticeship training program shall be entitled to practice their trade anywhere in the state without taking any examinations or paying any registration or license fees required by political subdivisions in the state. Died in Assembly committee.

BARBERS AND COSMETOLOGISTS

Bills marked * were sponsored by the Federation

Good Bills

AB 70 (Smith). As amended, increased minimum number of hours of instruction required for graduation from barbers' college from 1,000 to 1,250 hours, to be completed in nine instead of six months, except for prerequisite courses for part-time students, which must be completed within 12 months. Died in Assembly committee.

AB 71 (Smith). Reduces from 500 to 250 hours, the amount of further study required for an apprenticeship certificate after failure in an examination. Chapter 1119.

*AB 341 (Berry). Required closing of barber shops and

colleges on Sundays and holidays. Died in Assembly committee.

*AB 342 (Berry). Increased examination fees, license and renewal fees for journeymen and apprentice barbers. Dropped because of SB 575. Died in Assembly committee.

*AB 343 (Berry). Repealed prohibition against members of the State Board of Cosmetology serving more than two consecutive terms. Died in Assembly committee.

*AB 344 (Berry). Removes exemption of non-licensed employees in pharmacies from provisions of the Cosmetology Act. Chapter 956.

*AB 345 (Berry). Required applicants for training of junior cosmetology operators to be 21 years old, be of good moral character, and holders of hairdresser and cosmetologist, or cosmetologist manager-operator's license for not less than 3 years. Died in Assembly committee.

AB 2408 (McMillan). As amended, provides that course of instruction for part-time barber stu-

dents must be completed within 12 months instead of six months. Chapter 1164.

SB 397 (Thompson). Applied provisions regulating practice of cosmetology to now exempt persons authorized to practice pharmacy, osteopathy, chiropractic, naturopathy, and chiropody. Died in Senate committee.

SB 398 (Thompson). Removed prohibition against members of State Board of Cosmetology serving for more than two consecutive years, and requirements that vacancies be filled within 60 days, and that vacancies occurring during a term be filled for unexpired term. Died in Senate committee.

SB 419 (Thompson). Provided that only one junior operator could be trained in a cosmetological establishment at one time. Died in Senate committee.

SB 575 (Thompson). As amended, prescribes regulations for conducting barber colleges; increases moderately examination fees for apprentice and journeymen barbers, and application fee to conduct a barber shop. Chapter 1299.

SB 576 (Thompson). Allows any member of Board of Barber Examiners or agents to enter and inspect barber shops and colleges not only during business hours, but at any time when barbering or instruction is being carried on. Chapter 390.

SB 1403 (Kraft). Originally a bad bill greatly reducing standards for out-of-state barbers to practice in California. Amended into a good bill, liberalized such standards somewhat while re-inserting essential provisions of present law, and limited post-graduate hours in the practice department of a barber school to 150 hours. Pocket-vetoed.

SB 1404 (Kraft). Originally a bad bill making ineligible for appointment to State Board of Cosmetology any person who has not owned or operated a cosmetology establishment in the state for five years immediately prior to appointment. Amended into a good bill, striking original provision, and qualifying for membership on the Board persons with at least five years' experience in the actual practice of cosmetology. Chapter 228.

SB 1405 (Kraft). As amended, allows out-of-state residents to apply for certificate of registration and license as hairdresser and cosmetician, provided they have four years of practice outside of state. Chapter 229.

SB 1406 (Kraft). As amended, permits person failing to qualify for cosmetologist license on reciprocity basis because of insufficient study and training, to qualify by completing supplementary work necessary to equal total requirement for

issuance of license as manager-operator. Chapter 230.

Bad Bills

AB 94 (Maloney). Provided for examination, registration and licensing of scalp massagists by Board of Cosmetology. Died in Senate committee.

AB 102 (Maloney). Decreased from 350 to 150 hours the amount of schooling required of cosmetology students before they may engage in student practice in connection with courses. As amended and enacted is less objectionable: decreases hours to 200. Chapter 427.

AB 191 (McCollister). Created a State Board of Massage to regulate the practice of massage and the conducting of massage establishments. Subject matter referred to interim committee for further study by Assembly.

AB 785 (Maloney). As amended, defined "facialist" and prescribed qualifications for license to practice such; prescribed \$5 examination fee for residents, and \$5 registration and license fee for facialists registered in another state. Died in Senate committee.

SB 1727 (Desmond). As amended, allowed the sale of soft drink beverages in barber shops without the requirement of a partition between barbering room and place used for that purpose. Pocket-vetoed.

CHILD CARE CENTERS

Good Bills

AB 1527 (Ernest R. Geddes). As passed by the Assembly, continued child care centers on a permanent basis and appropriated \$5,450,000; raised maximum income of eligible parents by 10 percent in all classifications; increased statewide average state support per hour from 25 to 26 cents; authorized Superintendent of Public Instruction to establish rules concerning conditions of service and hours of enrollment for children in centers; required, rather than allowed, governing boards of districts maintaining centers to employ in center only persons holding permits issued by superintendent, and made other changes.

As passed by Senate and sent to Governor, appropriates \$5,418,000; continues centers only until June 30, 1955; retains all other Assembly provisions. Chapter 1427.

SB 1423 (Kraft). As passed by the Senate, continued child care centers until June 30, 1955 and approved \$4,800,000 for support of centers.

As passed by Assembly and sent to Governor contained same provisions as AB 1527 except for some drafting errors. Pocket-vetoed.

CIVIL RIGHTS

Rejecting the platforms of both major parties, the legislature once again refused to take action on proposals to establish a state fair employment practices commission. Three such measures, including one sponsored by the Federation, were allowed to die in committee. Only one measure, a greatly watered-down Assembly bill providing for civil suits against discriminatory practices by employers and trade unions alike, managed to receive a favorable recommendation in committee, but was killed on the Assembly floor.

On the negative side, serious inroads on cherished civil liberties were made by the enactment of several vaguely worded anti-subversive laws and oaths which allow the firing of public employees and teachers who refuse to answer the questions of congressional and legislative committees and which may operate to attach the label of "subversive" to groups and individuals having no other purpose than social and economic advancement.

Bills marked * were sponsored by the Federation

Good Bills

AB 332 (Elliott and Collins). Prohibited discrimination on account of race, color or religion in the sale of real property; outlawed restrictive covenants based on such distinctions and permitted civil suits for at least \$100 damages where there is such discrimination. Died in Assembly Committee.

***AB 500 (Masterson).** Made it a misdemeanor to discriminate in employment of teachers because of age, color, creed, religion, marital status, sex, or national origin. Died in Assembly committee.

AB 654 (Elliott). Required the dismissal of a police officer guilty of mistreating a person in jail or under arrest. Died in Assembly committee.

AB 900 (Hawkins). Established a state Fair Employment Practices Commission with enforcement powers. Amended to exclude employers of six or less persons. Died in Assembly Committee.

***AB 917 (Collins).** Established a state Fair Employment Practices Commission with enforcement powers. Died in Assembly Committee.

AB 965 (Rumford). Prohibited automobile insurers from refusing application for liability policies or issuing less favorable policies because of race or color; made insurer liable for \$100 damages. Died in Senate Committee.

AB 966 (Rumford). Prohibited discrimination in accepting applications for automobile liability insurance, issuing policies or fixing rates; provided that five or more violations in one year was cause for suspension of insurer's certificate of authority. Died in Senate Committee.

AB 1452 (Shaw). Created a 16-man Civil Rights Commission to study and report to the Governor on March 1, 1955, regarding the need for legislation in the fields of civil rights and internal security. Died in Assembly Committee.

AB 1526 (Elliott). Established a California Fair Employment Practices Commission with enforcement powers. Died in Assembly committee.

AB 1831 (Rumford). Prohibited discrimination, segregation and quota systems in any school accepting applications from the general public, except religious and denominational schools granting preference on a religious basis. Died in Assembly committee.

AB 1834 (Rumford). Deletes requirement of designation of applicant's race on application for operator or chauffeur licenses, while adding requirement that applicant's full name be his "true" name. Chapter 1735.

AB 2189 (Hawkins). Required establishment of five-man commissions in cities and counties with populations over 500,000 to investigate and act on complaints regarding misconduct of police officers, including mistreatment of members of minority groups. Died in Assembly committee.

AB 2422 (Hawkins). Authorized the California Employment Stabilization Commission to study and make recommendations which might tend to reduce unemployment caused by racial or religious discrimination; required annual report of studies to be made and steps taken to reduce such unemployment. Died in Assembly committee.

AB 2708 (Kilpatrick). Appropriated state funds to State Department of Education for distribution to cities and counties establishing programs to foster harmonious relations between citizens of different races, religions and national origin, and to train police officers in the prevention and control of intergroup conflicts. Died in Assembly committee.

AB 2812 (Hawkins). As sent to Assembly floor, provided for damage suits in civil actions ranging from \$100 to \$500 against employers and unions discriminating in employment because of race, religion, color, national origin, or ancestry. Refused passage in Assembly by vote of 35-35.

AB 2896 (Kilpatrick). Prohibited admission of evidence obtained in violation of laws of the United States or California. Died in Assembly committee.

AB 3258 (Elliott). Prohibited state officers and employees from discriminating against any person because of race, color, religion, or national ancestry. Died in Assembly committee.

ACA 10 (Elliott). Amends state Constitution to allow all aliens eligible to become citizens to own and freely transfer and inherit property other than real estate. Resolutions, Chapter 83.

Bad Bills

AB 923 (Backstrand). As amended and enacted, implements Proposition 5 adopted last November by requiring individuals or groups claiming any property tax exemption, other than householder's exemption, and bank and corporation tax exemptions, to file an anti-subversive declaration. Chapter 1503.

AB 1796 (Levering). Makes the Government Code conform with the "Levering Oath" for public officials written into the state Constitution at the last election; false swearing or joining a subversive organization after taking the oath is punishable by one to fourteen years in prison. Chapter 1250.

AB 1814 (Chapel). Authorized suspension of any certified school employee upon written charges by either the school board or any other person of advocacy of communism while teaching or while on property belonging to agency included within the public school System. Died in Assembly committee.

AB 2196 (Chapel). Provided for the suspension (pending hearing) and dismissal of a teacher in a state-supported educational institution because of membership in or persistent active participation in public meetings conducted by any organization defined as a "communist front" or a "communist action" group by the federal Internal Security Act of 1950. Died in Assembly committee.

AB 2677 (Levering). As amended and enacted, requires persons or organizations applying for use of school property to file an anti-subversive statement of information, made under penalty of perjury. Chapter 880.

AB 2975 (Levering). Would have barred "subversive elements" from the use of civic centers by prohibiting use to persons or groups advocating the violent overthrow of the government. Dropped in favor of AB 2677 and allowed to die in Assembly committee.

AB 3312 (Levering). Provided for summary dismissal from public employment of any state or any civil defense employee who fails to appear or to answer any material questions when summoned to testify before a state or federal court, or a state or federal legislative committee. Died in Assembly committee.

AB 3501 (Smith). Would have permitted employers to discharge workers who are members of the Communist Party or who engage in, or are affiliated with, any organization which advocates overthrow of government by force and violence. Died in Assembly committee.

AB 3508 (Luckel). As amended, requires all public employees, under penalty of suspension or dismissal, to answer under oath questions propounded by governing body of any state agency or any state or federal legislative committee re-

garding present and past personal advocacy or knowing membership in any organization which advocates forceful or violent overthrow of government of the United States or the state, and present and past membership in the Communist Party. Exempts school teachers because of coverage under SB 1367. Chapter 1646.

SB 1367 (Dilworth). As amended, requires teachers to take a special non-communist oath, in addition to the "Levering" oath recently amended into the Constitution; also requires teachers, upon penalty of dismissal, to answer questions of legislative investigating committees and boards of education relating to their opinions and associations during the past five years. Chapter 1632.

SB 1425 (Kraft). As amended, provides for the dismissal of state college employees because of membership in or persistent active participation in public meetings conducted by any organization defined as a "communist front" or a "communist action" group by the federal Internal Security Act of 1950, or because of advocacy of violent overthrow of the government or wilful advocacy of communism. Chapter 1158.

SCA 21 (Tenney). An "America Plus" proposal to add to the inalienable rights of man in the state Constitution "choice of associates, customers, tenants, and employees" and "disposing" of property. Would have legalized racial discrimination and segregation in public places and in employment. Attempted to legalize racial restrictive covenants, and would have outlawed all forms of union security which make union membership a condition of employment. Set for hearing, withdrawn, and allowed to die in Senate committee.

Other Bills

AB 974 (Brown). Originally a bad bill, provided a procedure for district attorney in criminal proceedings or grand jury investigations, and for the attorney general in legislative or administrative proceedings or investigations, to obtain superior court order compelling evidence from person claiming privilege against self-incrimination under the Fifth Amendment to the U.S. Constitution; granted immunity to such person from prosecution, penalty or forfeiture regarding compelled evidence, but retained power to prosecute such person for perjury, false swearing, or contempt re compelled evidence.

As amended and enacted is unobjectionable: confines such procedure to criminal proceedings and grand jury investigations for violation of specified sections of various codes. Chapter 1353.

CONSTRUCTION

The major accomplishment in this area was the passage of two measures clarifying and strengthening the prevailing wage principle in public works and the extension of this principle, along with other Labor Code provisions regulating employment and working hours in public works, to alteration and demolition work and construction projects of public housing authorities.

Several "bad" bills increasing exemptions from competitive bidding in public works projects were also passed. Although such increases are not desirable, they can be justified to some extent.

An unsuccessful attack on public housing, along with other measures affecting the State Housing Act, are reported under HOUSING.

Bills marked * were sponsored by the Federation

Good Bills

***AB 217 (Samuel R. Geddes).** Broadens definition of "political subdivision" to include public housing authorities for purpose of extending prevailing wage principle and other Labor Code provisions regulating employment and working hours in public works. Chapter 1283.

***AB 218 (Samuel R. Geddes).** Included within the term "public works", construction, alteration, or repair (including painting or decorating) of buildings or facilities owned or operated by a public housing authority in order to extend prevailing wage principle and other Labor Code provisions regulating employment and working hours. This Federation bill passed both houses, but it amended the same Labor Code section as a Department of Industrial Relations bill, **AB 1518**, extending the prevailing wage law to include alteration and demolition work. The two bills could not be signed without affecting each other. Because greater benefit would be derived from the amendments to **AB 1518**, the Federation recommended, and the Governor obliged, that ***AB 218** be pocket-vetoed.

***AB 944 (Chapel).** Makes it a misdemeanor to fail to provide toilet facilities on construction sites. Chapter 433.

***AB 1131 (Cooke).** Broadened the meaning of "public works" to include maintenance work paid for in whole or in part out of public funds in order to extend prevailing wage principle and other Labor Code provisions regulating employment and working hours. Died in Assembly committee.

***AB 1132 (Cooke).** Amended Labor Code definition of "public works" in chapter regulating employment, wages, and working hours to specifically include painting and decorating. Died in Assembly committee.

***AB 1133 (Cooke).** Provided that prevailing wages for regular, holiday and overtime work shall be paid maintenance workers on public works projects. Died in Assembly committee.

***AB 1134 (Cooke).** Provided that maintenance work in county buildings does not include construction or repair work. Died in Assembly committee.

***AB 1135 (Cooke).** Limited the use of county prisoners to projects for which the total cost of materials and labor at prevailing rates does not exceed \$2,000. Died in Assembly committee.

***AB 1136 (Cooke).** Required that day labor be paid the general prevailing construction wage when hired to construct or repair wharves, chutes, or other shipping facilities in a county. Died in Assembly committee.

***AB 1137 (Cooke).** Restricted use of county highway maintenance employees to maintenance, and not construction or repair. Died in Assembly committee.

***AB 1138 (Cooke).** Required that day labor performing county highway work shall be paid prevailing wages for such work. Died in Assembly committee.

***AB 1139 (Cooke).** Restricted to maintenance work on public works projects costing less than \$2000 the use of prisoners convicted of nonsupport of child or wife, or desertion or abandonment of child. Died in Assembly committee.

***AB 1140 (Cooke).** Deleted Labor Code provision now requiring that "construction and repair work" be done under contract before it may be considered "public works" within meaning of chapter regulating wages, hours, and working conditions on public works. Died in Assembly committee.

***AB 1141 (Cooke).** Provided that prevailing wage shall be the rate in the labor market nearest to the locality in which public work is performed. Died in Assembly committee.

AB 1518 (Maloney). As passed by Assembly broadened meaning of "public works" to include alteration and demolition work, and further clarified and strengthened the prevailing wage principle in public works by (1) providing that holidays upon which prevailing premium and overtime rates are paid shall be those recognized in the collective bargaining agreement applicable to the particular workman employed on a project, (2) enabling public bodies to use the wage rate being paid in the nearest labor market area when there are no construction projects in progress at the time in the particular locality, and (3) by setting up a procedure patterned on the federal Davis-Bacon law by which an appeal can be taken if an awarding body establishes the wrong rate. As

amended in Senate and enacted is less favorable: establishes a special procedure for determining prevailing rates in projects under the state Department of Public Works, exempting it from other prevailing rate provisions. Chapter 1706.

SB 697 (Mayo). As amended, created a new agency known as the State Building Board, composed of the Director of Public Works, Secretary of State and Superintendent of Banks, empowered to construct state office buildings and other facilities for rental to state agencies. Died in Senate committee.

SCR 62 (O'Gara). Urges President, Secretary of Navy, and Director of Bureau of Budget, to rescind their recent orders relating to federally financed shipbuilding and ship repair contracts which have operated to severely discriminate against Pacific Coast shipyards, and prescribe orders and regulations to increase Pacific Coast's share in the program. Filed with Secretary of State. Resolutions, Chapter 122.

SJR 38 (O'Gara). Similar to SCR 62. Filed with Secretary of State. Resolutions, Chapter 126.

Bad Bills

AB 216 (Ernest R. Geddes). As amended, increases from \$2,500 to \$4,500, exclusive of estimated cost of material and supplies furnished by purchasing agent, the estimated amount which Los Angeles county may spend for construction work on buildings without issuing a contract. In other counties, requires work to be done by contract if *estimated* cost, exclusive of estimated cost of material and supplies furnished by purchasing agent, is \$2,000, rather than if *actual* cost exceeds \$2,000 inclusive of furnished materials and supplies. Increases from \$2,000 to \$3,500 the estimated cost of materials and supplies which purchasing agent may purchase for construction work in Los Angeles county. Chapter 1080.

AB 219 (Ernest R. Geddes). As amended provides that purchasing agent in Los Angeles county has duty to engage independent contractors to perform sundry services where estimated aggregate cost does not exceed \$6,500, rather than \$4,000. Chapter 1087.

AB 326 (Lantermann). Originally allowed county boards of supervisors to authorize movement of detention camps by force account or day labor where such camps are used in connection with county highway construction or maintenance work. As amended and enacted the measure is less

objectionable: applies only to counties with population of 2 million or more, and contains a qualifying provision requiring determination that work of moving, relocation, etc., can be done more economically and satisfactorily by force account or day labor than by contract, and that total estimated cost of new or additional building structure materials necessary to be purchased to perform work does not exceed \$5,000. Chapter 1790.

AB 849 (Beck). As passed by Assembly, increased from \$500 to \$1000 the amount above which school districts must let contracts for work, materials or supplies to lowest responsible bidder or reject all bids; allowed districts with a.d.a. of 1,000 or more to let such contracts to lowest responsible bidder without publication of notice for bids if estimate of cost is less than \$2,000 rather than \$1,000; allowed districts to repair, alter, or improve buildings, equipment or grounds by day labor or force account if total cost of labor for each separate job on a construction site does not exceed \$2,000, rather than \$1,000 for labor on whole project. As amended in Senate and enacted, is less objectionable because of deletion of provision increasing day labor and force account provision. Chapter 340.

AB 1553 (Stewart). Originally excluded manufactured materials produced in Great Britain or Canada from provision that public contracts shall require American-made materials. As amended, exempted only adding machines, mimeograph machines or calculators from the provision. Died in Assembly committee.

AB 1563 (Hollibaugh). Requires letting of contracts in 5th and 6th class cities for public works to lowest bidder after notice if expenditure for project exceeds \$2,000 rather than \$1,000. Chapter 395.

AB 2170 (Brown). Similar to AB 1553. Died in Assembly committee.

AB 2856 (McFall). Permits port district boards to let contracts for work or supplies up to \$3,000 without competitive bidding. Chapter 917.

SB 340 (Hoffman). As amended deletes expiration date from provision which allows the carrying out of projects directly by state agencies and district agricultural associations under State Contract Act, and inserts a provision allowing the Director of Public Works to authorize such districts or agencies to carry out work in excess of \$5,000 by day labor if he deems that the award

of a contract, or the acceptance of bids is not in the best interests of the state. Chapter 1374.

SB 745 (Thompson). As amended, required the registration of building inspectors and set up qualifications which would have excluded workers who do not have two out of six years of service as a foreman or who lack a college degree in engineering. Died in Senate committee.

SB 878 (Regan). Increases from \$500 to \$2,000 the amount which a public utilities district may spend for purchase of supplies without letting of

contract; increases from \$1,000 to \$3,000 the amount of construction work a district may undertake without drawing up specifications and advertising for bids. Chapter 1780.

SB 1149 (Breed). Empowers manager of regional park district, with approval of the board, to contract for payment of supplies, labor, etc., up to \$1,000, instead of \$500, without advertisement or writing. Chapter 743.

ELECTIONS

Controversy over election laws centered around an employer proposal in **AB 3018**, similar to a 1951 bill vetoed by the Governor, to correct alleged "large scale abuses" of the two-hours-off-with-pay voting law. While the Federation did not deny relatively minor abuses of the law at the 1952 and previous elections, it rejected employer efforts to capitalize on such abuses by imposing the severe restrictions on the 60-year old statute contained in the Assembly and Senate approved version of **AB 3018**. The Governor refused, however, to pocket-veto the bill as requested by the Federation.

An Assembly constitutional amendment increasing the term of office for Assemblymen and Senators and restricting the Governor's is reported under a separate category since the Federation has not as yet taken a position on this proposal which will be placed on the 1954 ballot.

Good Bills

AB 129 (Davis). Provides that when candidate for nomination for a partisan office at a primary election dies on or before the day of election, and a sufficient number of ballots are marked as being voted for him to entitle him to nomination if he had lived, the vacancy on the general election ballot shall be filled by newly elected county central committee in cases of legislative offices, or by newly selected state central committee in cases of all other state or district offices requiring party nomination. Chapter 1723.

AB 787 (Conrad). Permits special registration of war voter who is released from service and returns within period of 54 days prior to election upon proof that release occurred within that period. Chapter 291.

AB 1072 (Conrad). Provides for absentee voting by persons living in U.S. owned and controlled precincts where no permission is granted by fed-

eral authorities for setting up precinct boards and polling places. Chapter 1042.

AB 1082 (Conrad). As amended, allows any person who has changed his residence since last registering and who qualifies as a "war voter" to apply for an absentee ballot, deleting requirement that application show that the applicant is absent from county in which he claims residence. Makes other clarification changes. Chapter 823.

AB 1202 (Chapel). Required that a voter's handbook be mailed to registered voters prior to primary and general elections containing statements of each party as to candidates for President and Vice President; state platforms; statements of candidates; and ballot pamphlet as now provided for. Died in Assembly committee.

AB 2579 (Collins). Made it a misdemeanor to contribute funds or services to defeat a candidate by creating appearance that he is supported by contributor. Died in Assembly committee.

ACA 61 (Kilpatrick). Would have prohibited legislative committees from conducting any investigation in any county or city within 30 days prior to the holding of an election where the subject matter of the investigation is an issue in the election. Died in Assembly committee.

ACR 89 (Kilpatrick). Deplored practice of holding Congressional investigations in cities and counties holding an election when the subject matter of the investigation is an issue in the election. Died in Assembly committee.

Bad Bills

AB 1203 (Chapel). As amended, provided for licensing of professional initiative and referendum petition circulators and contained a provision which would have been interpreted to prohibit Federation activity in this area. Died in Assembly committee.

AB 3018 (Dolwig). As amended, repeals present time off for voting law which allows two hours

with pay as a matter of *right*, and reenacts another providing for as much as two hours with pay on the basis of *need*: denies any time off to persons having four consecutive hours either between opening of polls and starting work or between end of work and closing of polls; allows persons having less than four consecutive hours in which to vote to take off so much time, up to two hours, as would, when added to their voting time outside working hours, enable them to vote. Time off, when necessary to vote, must be taken either at the beginning or end of the regular working shift, and worker must give employer at least two days' notice if, three days prior to election day, he knows that he will need time off to vote. Passed Assembly 47-22, Senate 29-1. Federation request for pocket veto denied. Chapter 1851.

SCA 8 (McCarthy). Required that initiative petitions presented to electors be signed by qualified electors equal in number to eight percent of all votes cast in each of a majority of all counties for all candidates for Governor at last preceding gubernatorial election, as well as eight percent of the statewide vote for such candidates. Made similar changes as to initiative petitions to the legislature and referendum petitions requiring five percent of votes cast. Died in Assembly committee.

Other Bills

ACA 1 (Lincoln). Increases term of assemblymen from two to four years and state senators from four to six years; limits future governors to two successive terms. Resolutions, Chapter 223. Measure will be placed on 1954 ballot for referendum.

EMPLOYMENT AGENCIES

See also FARM LABOR.

Bills marked * were sponsored by the Federation

Good Bills

*AB 464 (Elliott). Made it a misdemeanor for employ-

ment agencies to charge a fee in excess of 10 percent of an applicant's first month's salary. Died in Assembly committee.

AB 472 (Kilpatrick). Made it unlawful for employment agencies to charge a fee in excess of three percent of an applicant's first month's salary. Died in Assembly committee.

AB 2179 (Charles W. Lyon). Prohibited granting of employment agency license to a person convicted of a felony unless the Labor Commissioner determines, after hearing, that public interest would be served. Died in Assembly committee.

AB 2575 (McMillan). Prohibited employment agency from taking any part of a fee in advance of an agreement between applicant and employer to commence work. Died in Assembly committee.

Bad Bills

AB 1850 (Weinberger). As amended, adds to existing law for determination of dispute between employment agency and applicant, proviso that Labor Commissioner may certify that there is no controversy to be settled by him when the agency presents substantive evidence that applicant acknowledges the fee to be due. Chapter 952.

AB 2171 (Charles W. Lyon). Repealed provision which requires reimbursement of applicant's fees and expenses by employment agency, where applicant is sent 35 miles for work which he fails to get, or loses within seven days. Died in Assembly committee.

AB 2174 (Charles W. Lyon). Deleted requirement that employment agencies must keep records in which they keep information required by Labor Commissioner, while retaining other record requirements. Died in Assembly committee.

AB 2183 (Charles W. Lyon). Retained requirement that employer shall state in writing that he refused to hire applicant or discharged him, but deleted provision which requires that employer state whether he discharged applicant after employing him less than seven days. Died in Assembly committee.

FARM LABOR

Despite the existence of well recognized evils in this area of employment, nothing was accomplished in the way of improvement of farm labor conditions. Companion measures sponsored by the Federation to prevent the employment of minors between the ages of 16 and 18 in agricultural or domestic service for more than eight hours per day or 48 hours per week received favorable committee recommendation, but were refused passage on the Assembly floor. Rather than correcting the

abuses of farm labor contractors, an attempt was made to exempt sheep shearing contractors from existing provisions of the law.

Measures extending provisions of California's employment security program to farm workers also failed (see UNEMPLOYMENT and UNEMPLOYMENT DISABILITY INSURANCE and WORKMEN'S COMPENSATION) as did a Federation measure aimed at preventing the employment of "wetbacks."

Bills marked * were sponsored by the Federation

Good Bills

*AB 291 (Chapel). Made it a misdemeanor to employ aliens subject to deportation. Was aimed at employment of "wetbacks." Died in Assembly committee.

*AB 906 (Thomas). Prohibited the employment of minors between the ages of 16 and 18 in agricultural or domestic service for more than eight hours per day or 48 hours per week, while permitting such employment other than during school hours if the work were performed for a parent, etc. Refused passage in Assembly by vote of 36-34.

*AB 907 (Thomas). Made violation of prohibition in *AB 906 a misdemeanor. Upon failure of the latter to pass, *AB 907 was allowed to die in Assembly.

AB 1568 (Cooke). Limited the exemption from farm labor contractor licensing provisions of employee in regular employment of a third person, to such employee who is compensated for services only by such third person. Died in Assembly committee. Companion measure, SB 212, died in Senate committee.

SB 214 (Regan). Provides that licenses of farm labor contractors shall expire annually on December 31, instead of March 31, so that it can be readily seen at a glance whether any license displayed is for the current year. Chapter 881.

Bad Bills

AB 2230 (Allen). Allowed the licensing of labor contractors even though they proposed to sell beer in place of operation. Died in Assembly committee.

AB 2512 (Lowrey). Exempted sheep shearing contractors from laws regulating labor contractors, including licensing provisions. Died in Assembly committee. Companion measure, SB 759, died in Senate committee.

SB 173 (Murdy). Excludes from provisions of the Agricultural Code licensing produce dealers, any person buying or otherwise acquiring possession of farm products from a nonprofit cooperative association. Chapter 401.

FIRE FIGHTERS

Bills marked * were sponsored by the Federation

Good Bills

AB 303 (Patterson). As amended, permits fire

fighters to arrange medical aid for injured persons without assuming personal liability for damages or for medical and hospital bills incurred. Chapter 667.

*AB 465 (Elliott). Granted 11 generally recognized holidays to firemen and allowed assigning firemen to work on such holidays at time and one-half. Died in Assembly committee.

*AB 467 (Elliott). Made it a misdemeanor to permit or require a fireman to work in excess of 48 hours per week. Died in Assembly committee.

AB 686 (Hollibaugh). As amended, permits voluntary retirement of local safety members, including firemen, entitled to be credited with 20 years of continuous service at age of 50, if contracting agency so elects. Upon death, provides for continuance of one-half retirement allowance to surviving wife, minor children, or dependent parents. Chapter 547.

AB 1683 (Brown). Prohibited requiring voluntary firemen and disaster service workers to serve away from home without provision being made for reimbursement for loss of income or for support and maintenance of dependents. Died in Assembly committee.

SB 147 (Regan). As amended, provides retirement of local firemen at age of 50 at one-half final compensation with provision for local option with regard to contracting agencies. Chapter 516.

SB 148 (Regan). Allows district fire protection boards to rent or lease vehicles and equipment of employees and others, and to pay reasonable sum for attending fires and drills, professional and vocational meetings, and for expenses incurred in attending meetings. Chapter 480.

SB 207 (Regan). Originally, limited working hours of firemen employed by local agencies to 60 hours per week without reduction in pay because of reduced work week, and required granting of compensating time off for all time worked in excess of 60 hours. As amended, became less desirable because of elimination of guarantee against reduction in pay. Died in Senate committee.

SB 303 (Regan). Granted state holidays to city firemen or compensatory time off or reimbursement in lieu thereof. Died in Senate committee.

FISHING

Good Bills

AB 583 (Thomas). Creates Fish and Game District 19b and makes all provisions of Code applicable to District 4 and 4½ applicable to District 19b. Chapter 931.

AB 585 (Thomas). Extends limits of District 19a by changing description to give Rocky Point alternative designation as Palos Verdes Point. Chapter 669.

AB 904 (Thomas). Extends for two more years, present regulations restricting commercial fishing seasons with regard to sardines taken for reduction or packing purposes. Chapter 672.

AB 928 (Thomas). Removed weight restrictions on sale of skip jack fish. Died in Assembly committee.

AB 930 (Thomas). Permitted representative of labor union to inspect financial records of any commercial fishing vessel. Died in Assembly committee.

AB 931 (Thomas). Abolished maximum size limit on sale of yellow fin and blue fin tuna. Died in Assembly committee.

AB 933 (Thomas). Permitted use of purse seine and round haul nets in Districts 19a and 20 in certain seasons. Died in Assembly committee.

AB 2160 (Luckel). As amended, postpones for two years present provision which would have prohibited sale of yellow fin and blue fin tuna weighing over 150 pounds after December 31, 1953. Chapter 679.

AB 2249 (Thomas). Defined as wages earnings of fishermen working on boats on a share basis, and extended protection of Labor Code to such employees. Died in Assembly committee.

AB 2722 (Thomas). Allowed use of mid-water trawl nets for taking sardines, anchovies and mackerel. Died in Assembly committee.

AB 2725 (Thomas). Abolished restrictions on use of purse seine and round haul nets in Districts 17, 18, and 19. Died in Assembly committee.

AB 2854 (Thomas). Authorized Marine Research Committee to regulate sardine, anchovy and mackerel commercial fishing. Died in Assembly committee.

AJR 10 (Luckel). Urged Congress to enact a temporary tariff of 3 cents per pound on fresh and frozen tuna, and equivalent duty on tuna canned in brine. Died in Senate committee.

SB 263 (Williams). Repealed provisions of Fish and Game Code relating to seasons, bag limits, and sale of certain types of river fish. Died in Senate committee.

SB 498 (Williams). Reduces cost of duplicate

commercial fishing license from full fee of \$10 to \$3. Chapter 163.

Bad Bills

AB 835 (Stanley). Originally prohibited altogether sale and purchase of yellow tail fish. As amended, prohibited sale and purchase between May 15 and September 15 for a period of two years. Refused passage in Assembly by vote of 39 to 36. Reconsideration refused by vote of 37-33.

AB 873 (Stanley). Placed restrictions on use of purse seine and round haul nets in certain commercial districts. Died in Assembly committee.

AB 2335 (Hahn). As passed by Assembly, prohibited the taking of anchovies for canning south of Point Arguello. As passed by Senate and enacted, prohibits taking of anchovies for canning south of Point Mugu, while permitting such fishing south of this point in waters not less than three miles from the nearest point of land on the mainland shore, and permitting fish to be brought through closed area for packing. Chapter 1065.

SB 44 (Hoffman). Forbids use of fyke nets in commercial fishing Districts 3, 12a, 12b, and 12c to take catfish, carp, pike, hardheads, and suckers. Chapter 1171.

SB 45 (Hoffman). Prohibits taking of catfish in California for commercial purposes. Chapter 1172.

SB 265 (Williams). Increased from \$10 to \$20 fee for commercial fishing license. Died in Senate committee.

SB 894 (Hoffman). Prohibits possession of gill, trammel, and fyke nets on any boat in certain portions of commercial Districts 12a, 12b and 12c. Chapter 1363.

SB 1069 (Williams). Gave Fish and Game Commission full regulatory powers over sardine and Pacific mackerel commercial fishing. Died in Senate committee.

SB 1202 (Grunsky). Empowered Fish and Game Commission to set annually the amounts of herring that may be taken in waters of Tomales Bay, San Francisco Bay, and Monterey Bay. Referred to Senate Interim Committee on Fish and Game.

SB 1756 (Hoffman). As amended, prohibited taking of sardines or Pacific mackerel except under specified conditions. Died in Senate committee.

HOUSING

See also VETERANS.

In one of the bitterest struggles of the session, productive of some of the weirdest parliamentary skirmishes in legislative history, the Federation succeeded in fighting off a three-pronged assault on public housing, which, while stemming from the housing fight in Los Angeles, would have seriously

crippled badly needed public housing throughout the state.

The attack was led by Assemblyman Levering, who introduced three measures, **AB 2049**, **2050**, and **2051**, to (1) provide for the abandonment of uncompleted housing projects, (2) allow councils or boards of supervisors to fire housing authority commissioners without cause, and (3) establish a procedure for initiating new projects which would make it almost impossible to develop additional public housing in California.

The three measures passed the Assembly with little trouble, but were killed in Senate committee after alerted senators succeeded in sending the bills to the favorable Committee on Local Government.

In an attempt to by-pass the committee system in the Senate, the substance of the three Levering bills were then amended into three skeleton bills, **SB 1963**, **1964**, and **1965**, introduced a few days earlier for the sole purpose of referring them to the Committee on Public Health and Safety, which was more favorable to the anti-public housing interests. As such, the measures were sent to the Senate floor, but were killed when the Senate voted by the narrow margin of 18-15 to re-refer the bills to the Committee on Local Government where they belonged.

In a third desperate attempt to pass the hostile legislation, the original Levering bills, resting in the Committee on Local Government, were amended and reset for hearing. Although the amendments purportedly confined their applicability to Los Angeles, they nevertheless remained unacceptable on a statewide basis. The final death blow to this last attempt came when the Committee on Local Government killed the main bill, **AB 2049**, by sending it to an interim committee for further study, and amending the others to make only minor and insignificant changes in the housing law.

Good Bills

AB 107 (Beck). Originally, increased the cash value of property allowed to be homesteaded by a head of a family from \$7,500 to \$15,000, and by other persons from \$3,000 to \$5,000. As enacted, increases the amount for heads of families to \$12,500, and for other persons to \$5,000. Chapter 943.

AB 971 (Rumford). Made it unlawful for any person to rent a trailer coach in any auto and trailer park. Died in Senate committee.

AB 3505 (Masterson). As amended, prohibits mayor or member of the governing body of a city or county from having interests in housing projects, excepting contracts awarded to corporations in which such person owns less than one percent of the entire capital stock. Chapter 1815.

AJR 13 (Evans). Urged Congress to liberalize present policies relative to home loans for aged persons. Died in Assembly committee.

Bad Bills

AB 23 (Morris). Deleted declaration in housing authority law which states that slum areas cannot be cleared nor housing shortages for low income groups be relieved by private enterprise and that state construction of low income housing would not be competitive. Died in Assembly committee.

AB 369 (Stanley). Originally froze regulations of Division of Housing regarding use of toilets in trailers within or outside auto and trailer camps, while removing power of Division to enforce such regulations. As amended and enacted is less objectionable: removes requirement of installation of one or more slop sinks one hundred feet from each trailer coach or camp site. Chapter 893.

AB 371 (Stanley). As enacted, weakens provisions of law guarding against conversion of trailer camps into housing camps; repeals provision allowing only awnings open on two sides to be attached to trailers, and allows attachment of permanent structures conforming to rules and regulations to be adopted by the Division of Housing; provides that rules and regulations of cities and counties shall control when equal to or greater than those of Division. Chapter 894.

AB 372 (Stanley). As amended, distinguishes between trailer coaches with and without sewage disposal units, with regard to toilet and shower bath facilities in auto and trailer parks: lowers standards for camp facilities for trailers equipped with disposal units: modifies and lowers somewhat standards for trailers not equipped with sewage disposal units. Chapter 927.

AB 2049 (Levering). Originally a skeleton, amended into the main bill of the anti-public housing forces. (See also **AB 2050** and **AB 2051**, below.) As passed by Assembly 49-20, provided for abandonment of uncompleted public housing projects by negotiations between city and coun-

ties in which they are located and the federal government. Defeated as such in Senate Committee on Local Government. Amended in Senate to prohibit abandonment of negotiations unless electors of the city or county vote, or have voted for discontinuance or abandonment, and re-set for hearing. Subject matter referred to interim committee.

AB 2052 (Levering). Originally gave grand juries full authority to investigate the books, records, accounts, and operations of housing authorities, and report on any aspect thereof. As amended and enacted, is less objectionable: allows examination of books, records and accounts and investigation of operations, while restricting authority to report the facts uncovered, with such recommendations as the jury may deem proper and fit. Chapter 1804.

AB 2604 (Coolidge). Increased from 16 to 24 apartments, the size of apartment houses in which present law requires the residence of a janitor, housekeeper or other responsible person. Died in Senate committee.

AB 2730 (Stewart). As amended, exempted from earthquake proofing, buildings designed and constructed for use exclusively as a single or multiple dwelling not more than two stories and a basement in height, instead of only dwellings occupied by not more than two families and located entirely outside of cities. Referred to interim committee.

AB 3287 (Morris). Abolished all city and county housing authorities by repealing the Housing Authority law and provided for the succession of their rights and liabilities to cities and counties. Died in Assembly committee.

AJR 14 (Levering). Urged Congress to investigate (1) infiltration of communists and other subversives into public housing authorities and projects, (2) feasibility of terminating public housing, including an orderly transition of such housing to private ownership, and (3) to declare a moratorium on future cooperative agreements for construction of public housing projects. Died in Assembly committee.

SB 1963 (Breed). Introduced later in the session as a skeleton bill and amended to incorporate the provisions of **AB 2049** after such measure was first defeated in the Senate Committee on Local Government (see above): provided for abandonment of uncompleted public housing projects in cities and counties voting or having voted for abandonment or discontinuance. Received favorable recommendation from Committee on Public Health and Safety. Re-referred in Senate by narrow margin of 18-15 to Committee on Local Government where it was allowed to die.

SB 1964 (Breed). Introduced late in the session as a skeleton bill and amended to incorporate substance of **AB 2050** after this measure was first defeated in Senate Committee on Local Government (see below): revised power of appointment of housing commissioners by mayor to require confirmation by governing bodies of cities and counties; allowed removal of housing commissioners by

such governing bodies without cause in localities where electors vote or have voted for discontinuance or abandonment of public housing; required that meetings of housing authorities be public, and minutes, books, and records be open to public. Received favorable recommendation from Committee on Public Health and Safety. Re-referred in Senate by narrow margin of 18-15 to Committee on Local Government where it was allowed to die.

SB 1965 (Thompson). Introduced late in the session as a skeleton bill and amended to incorporate provisions of **AB 2051** after this measure was first defeated in Senate Committee on Local Government (see below): prohibited governing body of city or county from executing cooperation agreement with housing authority without first submitting detailed plan of project to governing body and holding public hearings with prior notification; thereafter, allowed cooperation agreement to be authorized by adoption of local ordinance by majority of members of governing body on non-urgency basis. Received favorable recommendation from Committee on Public Health and Safety. Re-referred in Senate by narrow margin of 18-15 to Committee on Local Government where it was allowed to die.

SJR 16 (Tenney). Declared that rent controls were no longer needed in California and so notified President and Congress. Died in Senate committee.

Other Bills

AB 370 (Stanley). Originally a bad bill deleting provision making it unlawful for owner of trailer park to rent trailer coaches, and requiring only trailer coaches in trailer camps in counties with population under 900,000, exempting San Francisco and Los Angeles, to comply with requirements of Health and Safety Code which apply to auto courts when coach is attached to pipes or ground, or when coach has no current license plate. As amended and enacted is unobjectionable: exempts from state regulation, auto and trailer camps in cities and counties enforcing local ordinances prescribing minimum standards equal to or greater than the provisions of Health and Safety Code. Chapter 370.

AB 2050 (Levering). As passed by Assembly 45-20, revised power of appointment of housing commissioners by mayor to require confirmation by governing bodies of cities and counties; allowed removal of housing commissioners by such governing bodies without cause; required that meetings of housing authorities be public, and minutes, books and records be open to public. Defeated as such in Senate Committee on Local Government. Amended in Senate to make minor changes in definition of public records open to public and to allow firing of commissioners without cause only

in localities where electors vote or have voted for discontinuance or abandonment of public housing, and re-set for hearing.

As finally amended in committee and enacted, makes only minor and technical changes in public housing law: requires confirmation of appointment of commissioners only where under charter or ordinance members of other boards and commissions would be subject to confirmation; requires that meetings of authorities be public, and minutes, books and records be public, but allows withholding of information declared confidential and not based upon public records, making persons who wilfully disclose such confidential information guilty of a misdemeanor. Chapter 1802.

AB 2051 (Levering). As passed by Assembly 53-14, prohibited governing body of city or county from executing cooperation agreement with housing authority without first submitting detailed plan of project to governing body and holding public hearing with prior notification; thereafter allowed cooperation agreement to be authorized by adoption of local ordinance by majority of members of governing body on non-urgency basis. Defeated as such in Senate Committee on Local Government. Amended without making substantial change and re-set for hearing.

As finally amended in committee and enacted, makes only minor and technical changes and formalizes existing procedures: merely requires holding of public hearing, with advance notification, prior to entering into a cooperation agreement on question of whether agreement should be entered into; requires that three copies of proposed cooperation agreement submitted to governing body be available for inspection by interested parties prior to hearing; allows cooperation agreement to provide for advance public hearing on any site for a public housing project; and allows authorization of cooperative agreement by adoption of resolution by majority of members of governing body. Chapter 1803.

INDUSTRIAL SAFETY

Bills marked * were sponsored by the Federation

Good Bills

***AB 257 (Dunn).** Restricted use of spray guns in applying paint under conditions hazardous to health and safety of employees and public. Died in Assembly committee.

***AB 300 (Dills).** Required labels on containers of paint to show ingredients constituting contents. Died in Assembly committee. (Bill was latter amended and enacted as a cotton weight bill of no interest to labor)

AB 330 (Henderson). Made it a misdemeanor to operate a machine propelled by internal combustion engines in or near cotton field unless equipped with device for arresting burning carbon. Died in Senate committee.

***AB 896 (Hawkins).** As amended and passed by Assembly, required that supervisors, before commencing employment, be furnished with a copy of safety orders applicable to work which they supervise. Died in Senate committee.

AB 902 (Henderson). Appropriated \$250,000 to Department of Industrial Relations for purpose of increasing staff of industrial inspectors and engineers in Division of Industrial Safety. Died in Assembly committee.

***AB 2116 (Brady).** Made it a misdemeanor to request or permit any adult male employee to lift or move objects weighing more than 100 pounds; or to move roofing materials weighing over 65 pounds while working as roofer. Died in Assembly committee.

***AB 2412 (McMillan).** Required employer of more than five workers at a job site located more than a mile from a hospital to maintain adequate first aid facilities and keep ambulance available. Died in Assembly committee.

SB 757 (Abshire). Requires employers hiring person to work with volatile flammable liquids to provide adequate means for worker to extinguish flames on himself; requires Industrial Safety Board to adopt general orders to make provision effective. Chapter 922.

SJR 21 (O'Gara). Urged Congress to enact legislation providing for uniform health and safety regulations in accordance with requirements of various industries and occupations, regardless of geographical location. Died in Senate committee.

Other Bills

AB 868 (Berry). Provided for licensing of stationary power plant and equipment engineers by Department of Professional and Vocational Standards. Died in Assembly committee.

AB 1552 (Munnell). Provided for rehearing and judicial review of orders, decisions, rules and regulations of Division of Industrial Safety. Died in Assembly committee.

INSURANCE

See also PUBLIC HEALTH, CIVIL RIGHTS, UNEMPLOYMENT DISABILITY INSURANCE, and WORKMEN'S COMPENSATION.

Good Bills

AB 106 (Beck). As enacted, requires all school districts, without charge, to make authorized de-

ductions from teachers' salaries for payment of premiums for a non-profit hospital service plan as well as for group life and disability insurance. Chapter 1281.

AB 1291. (Donald D. Doyle). As amended, allows any local agency of the state, upon its own motion, or with the consent of the legislative body of city or county, upon the election of a majority of the employees of the agency, to purchase and make employee deductions for group life, health, and accident insurance for public employees. Authorizes local agencies, under certain conditions, to make payments to trustees of a fund established to procure such insurance. Chapter 1798.

AB 1336 (Ernest R. Geddes). Provides that if employee dies within 31-day period after termination of employment, and before any individual life policy in lieu of group life policy becomes effective (whether or not application or payment of first premium therefor has been made), amount of life insurance to which he is entitled to have issued to him shall be payable as a claim under the group policy. Extends above benefit to group policy issued on life of spouse of employee. Chapter 60.

AB 1686 (McFall). As amended, allows legislative body of local agency, excepting counties, to pay any part, rather than not more than one-half, of premium of group life, accident, and health insurance, and medical and hospital insurance on its officers and employees. Chapter 490.

AB 2404 (McMillan). Made it unlawful for insurer to cancel vehicle liability insurance policy subsequent to accident in order to relieve insurer of liability for such accident. Died in Assembly committee.

AB 2763 (Beck). As amended, authorizes school

district retirement boards, for a reasonable fee, to make deductions from teachers' retirement salaries for payment of premiums on group life insurance or group disability insurance or other prepaid medical or hospital service plan. Chapter 346.

SB 374 (McBride). As amended, provides that excess of dividends or premium refunds paid on group life or group disability insurance over expenditure of policyholder shall be applied to benefit of insured employees generally or their dependents, or insured members generally or their dependents. Chapter 1746.

SB 1060 (Dorsey). Makes employer's contribution to county group insurance plans for employees, whose salaries are paid from county school service fund, a proper charge against such fund. Chapter 657.

SB 1846 (Miller). Authorized school districts to spend district funds for purchase of sickness and accident insurance program for its teachers to maintain their incomes during cataclysmic illness or injury. Died in Senate committee.

Bad Bills

AB 2682 (Levering). Exempted from life and disability insurance law, employer maintaining plan for furnishing disability insurance benefits to employees for non-industrial and non-occupational injuries or sickness, under which plan employer defrays 25 per cent, rather than 50 per cent or more of expenses of such benefits. Died in Assembly committee.

AB 2939 (Morris). As amended, required that total dividends, refunds, etc., from group life policy in excess of employer's or organization's cost of such policy, be applied for the benefit of all employees or members whether or not all are participants in the group plan. Died in Assembly committee.

LABOR CODE CHANGES — GENERAL

The principal Federation-sponsored measure in this area was a bill proposing a \$1.25 minimum wage for both men and women. It died in committee without consideration.

On the other hand, several bad bills making inroads on the women's 8-hour day, 48-hour week law were either defeated or amended to be unobjectionable.

Raids on peaceful labor relations by the Associated Farmers were also defeated. One measure, **SB 1619**, which removed agricultural labor disputes from the state mediation and conciliation service, managed to squeak by the Senate over

strenuous Federation objections, but was killed by the Committee on Industrial Relations on the Assembly side. Another, **AB 2661**, completely abolishing the functions of the mediation and conciliation service, died in committee without being heard.

Bills marked * were sponsored by the Federation

Good Bills

***AB 254 (Kilpatrick).** Prohibited deductions or withholding of wages from worker while performing jury service unless jury fee is \$12 or more per day. Died in Assembly committee.

AB 988 (Davis). Strengthened "equal pay for equal work" law. Died in Assembly committee.

AB 1564 (Cooke). Made it a misdemeanor for an employer to refuse or fail to make payments into a health and welfare fund after having agreed with employees or through collective bargaining to do so. Died in Senate committee.

AB 1566 (Cooke). Corrected a misworded provision in the "day of rest" law which makes it possible for an employer to compel an employee to work on the seventh day contrary to provisions of a collective agreement and intent of the law. Died in Senate committee.

AB 1567 (Cooke). Required logging and sawmill employers to deposit security for payment of wages in advance of pay period. Died in Assembly committee.

AB 1573 (Cooke). Required adequate washing facilities in every place of employment. Died in Senate committee.

AB 1575 (Cooke). Allows Director of Industrial Relations to enter into reciprocal agreements with other states for collection of wage claims. Chapter 877.

***AB 1768 (Henderson).** Established minimum wage of \$1.25 per hour for all employees. Died in Assembly committee.

AB 2547 (Dolwig). Required Labor Commissioner, upon application of either employer or employee, to hear and make an award in any wage dispute involving not more than \$600. Pocket-vetoed.

AB 2588 (Collins). Prohibited discrimination in employment because of age. Died in Assembly committee.

AB 2815 (Hawkins). Made it unlawful for an employer to demand or accept any part of tips received by employees or to apply tips against an employee's wage. Died in Assembly committee.

AB 2817 (Hawkins). Made it a misdemeanor to employ domestic worker more than 48 hours in one week, or 50 hours if employee resides on premises. Died in Assembly committee.

SB 209 (Regan). As passed by Senate, made it a misdemeanor for an employer to wilfully fail to furnish his employees with statement of deductions from wages. Died in Assembly committee.

SB 831 (Cunningham). Required that twice-monthly payment of wages as required by law be made at least four days after end of each period, rather than 10 days after each period. Died in Senate committee.

Bad Bills

AB 2661 (LeRoy E. Lyon, Jr.). Completely abolished functions of state mediation and conciliation service. Died in Assembly committee.

SB 77 (Brown). As passed by Senate 25-8, exempted from 48-hour week limitation on working hours of women, persons employed by resort employers during resort seasons; loosely defined seasonal resort employers. Died in Assembly committee.

SB 85 (Erhart). As passed by Senate, exempted appearance of minors in lodges, service clubs and similar organizations from restrictions in Labor Code regarding entertainment by minors. Died in Assembly committee.

SB 1619 (Abshire). Originally a skeleton bill amended in Senate to exempt agricultural labor disputes from mediation and conciliation service of state. Passed Senate by vote of 22-7. Died in Assembly committee.

Other Bills

SB 200 (Murdy). Originally a bad bill exempting clinical laboratory technicians and technologists in hospitals from women's 8-hour day, 48-hour week law. As enacted is unobjectionable: allows such exemptions only in emergencies with time and one-half pay for excess hours; requires employer, upon learning of emergency, to exercise diligence to provide immediate relief for worker. Chapter 1254.

SB 1822 (O'Gara). Originally a bad bill exempting from 8-hour day, 48-hour week law for women, employees in the public housekeeping industry during an emergency, provided employer exercised diligence in obtaining relief in such emergency. As amended was unobjectionable: confined exemption to female employees in hotels during emergencies; required time and one-half pay for excess hours. Pocket-vetoed by Governor.

LABOR UNIONS .

The major Federation victory of the session was the success achieved in withstanding fanatical attempts by extremists to render trade unions impotent by indirection.

The twelve "bad" bills reported below, all of which were defeated, mark one of the most frightening raids on trade union liberties in the legislative history of California. While defeat of these measures cannot be traced to any one factor, no small part can be attributed to the flood of letters re-

ceived by committee members and legislators as a whole from affiliated locals and councils, and rank and file trade unionists, as well as the active con-

tact work carried on by trade union leaders on all levels of organization.

The unsuccessful attack on labor centered around an attempt by Assemblyman Levering, long-time leader of anti-labor reactionaries in the legislature, to secure passage of his **AB 2284**, which would have saddled California workers with a compulsory "open shop" law patterned after the Virginia statute recently upheld in part by the Supreme Court of the United States. Defeat of this bill by the Assembly Committee on Industrial Relations was followed by a second attempt to accomplish the same end through the constitutional amendment process. The proposal, **ACA 44**, sponsored by freshman Assemblyman LeRoy Lyon, Jr., was soundly defeated by the Assembly Committee on Constitutional Amendments.

In the wake of these two rejections, other anti-labor measures, a few of which were set for committee hearing and later withdrawn from the calendar, were allowed to die in committee without being heard. As in 1951, the Senate again refused to take the initiative in pressing for the passage of traditional "hot cargo" legislation, and allowed two such measures to die in its Committee on Labor, while the Assembly indefinitely postponed action on one partial "hot cargo" bill applicable only to milk products, and another full "hot cargo" measure.

A fascistic attempt to write discrimination into the state Constitution and at the same time outlaw union security provisions which require union membership as a condition of employment is reported under **CIVIL RIGHTS**.

Bills marked * were sponsored by the Federation

Good Bills

***AB 462 (Elliott)**. Amended Section 923 of Labor Code to permit employees of municipally owned transportation systems to bargain collectively. Died in Assembly committee.

***AB 463 (Elliott)**. Added Section 923.1 to Labor Code to permit government employees to bargain collectively. Died in Assembly committee.

***AB 469 (Elliott)**. Repealed state Jurisdictional Strike Act. Died in Assembly committee.

AB 898 (Henderson). Amended Section 923 of Labor Code to permit employees of municipally owned public utilities to bargain collectively. Died in Assembly committee.

***AB 916 (Collins)**. Repealed "hot cargo" and secondary boycott law declared unconstitutional but remaining on the statute books. Died in Assembly committee.

***AB 1182 (McFall)**. As amended, allowed bona fide unions to sue or be sued as an entity, and required a suit against a union to be maintained in county where it maintains its principal office of business, or where its collective agreement is made or is to be performed, subject to power of court to change the place of trial as in other law suits. Died in Assembly. Companion measure, ***SB 311**, died in Senate committee.

Bad Bills

AB 66 (Levering). Permitted students to work in any industry without joining a union, irrespective of union security provisions negotiated by employers and labor unions. Died in Assembly committee.

AB 1194 (Cloyed). Denied labor unions right to strike, picket, or boycott in secondary actions ("hot cargo") involving milk and dairy products. Died in Assembly committee.

AB 2284 (Levering). As amended to conform to Virginia so-called "right to work" law and set for hearing before Assembly Committee on Industrial Relations, (1) prohibited employer from requiring union membership or non-membership or payment of any dues, fees, or other charges to a labor organization as a condition of employment, thus outlawing the closed shop, union shop, maintenance of membership and other forms of union shop provisions requiring payment of service fee for bargaining services rendered employees, (2) declared any agreement or combination contrary to above prohibitions an illegal combination or conspiracy, and (3) restored common law concept that labor organizations are monopolies and subject to anti-trust law prosecution. Also would have prohibited organizational activities of all kinds by any and all means now considered lawful. Killed in committee by vote of 8-2.

AB 2647 (Sherwin). Established compulsory "open shop" by adding to statement of public policy in Labor Code regarding freedom of workmen from employer interference, provision that workmen shall be free from interference by labor organizations or their agents. Set for hearing before committee on Industrial Relations. Removed from calendar upon defeat of **AB 2284**. Died in Assembly committee.

AB 2959 (Tomlinson). Prohibited secondary strikes and boycotts ("hot cargo"). Died in Assembly committee.

AB 3313 (Levering). So-called anti-featherbedding bill: denied unions right to negotiate for either the number of workers or conditions of work required in job operations in printing industry; declared any agreement to this effect unlawful and gave employers injunctive relief with right to recover damages. Died in Assembly committee.

AB 3314 (Levering). Required labor unions to file annual financial statement with Secretary of State and furnish union members with copies, imposed fine of \$500 to \$2,500 for violation, and authorized Attorney General to investigate complaints of violation. Died in Assembly committee.

ACA 43 (Levering). So-called "right to work" measure establishing compulsory "open shop": made it unlawful to require person to become or remain member of labor organization; declared illegal any combination or union security provisions to the contrary. Died in Assembly committee.

ACA 44 (LeRoy E. Lyon, Jr.). So-called "right to work" measure establishing compulsory "open shop": contained

provisions almost identical to **AB 2284**. Taken under advisement by committee vote of 3-1, thereby allowing bill to die in Assembly committee.

SB 1669 (Hatfield). Repealed and re-enacted "hot cargo" and secondary boycott law, outlawing all secondary action by labor unions. Died in Senate committee.

SB 1670 (Hatfield). Identical to **SB 1669**. Died in Senate committee.

MOTOR VEHICLES

See also **CIVIL RIGHTS** and **INSURANCE**

The struggle over highway legislation began early in the session and lasted through the eleventh hour when a compromise plan to revise the state highway system was worked out in free conference between the Assembly and Senate. The compromise, involving the expenditure of close to \$700 million in new highway construction money to be derived from increases in gas taxes and other highway user fees over a period of ten years, is reported separately at the end of this section

Bills marked * were sponsored by the Federation

Good Bills

***AB 289 (Chapel).** Repealed section of Vehicle Code which defines negligent operator as one who has been convicted on a certain number of occasions. Referred to interim committee for further study.

***AB 290 (Chapel).** Made definition of negligent operator in Vehicle Code inapplicable to holders of chauffeur's licenses; required, in determining what constitutes negligent operator, that due consideration be given to fact that chauffeurs operate vehicles more frequently. Referred to interim committee for further study.

AB 885 (Charles W. Lyon). Makes provision for persons arrested for violation of traffic laws, ordinances, etc., to appear before a person authorized to receive a deposit or bail as an alternative to appearing in court as now required. Pocket-vetoed.

AB 1551 (Munnell). Prescribes standards which must be met by trucks used primarily or regularly for transportation of workmen. Chapter 1759.

AB 1574 (Cooke). As passed by Assembly, allowed vehicles used by Division of Labor Law Enforcement to be equipped, for purposes of identification, with a red light, while denying such vehicles exemptions granted authorized emergency vehicles by Vehicle Code. Died in Senate committee.

AB 3396 (Morris). Prohibited trucks from transporting steel pipes, beams, etc., unless equipped with a solid barrier behind driver's cab to keep load from shifting forward. Referred to interim committee for further study.

SB 150 (Regan). Required trucks having unladen weight of 6,000 pounds and all truck tractors to carry two chocks

for use when disabled on grades. Died in Senate committee.

SB 761 (Abshire). Requires motor trucks or motor tractors with semi-trailer or trailer and other vehicles listed in Section 515 of Vehicle Code to be driven on the right-hand traffic lane on highways except when passing or making a left turn. Chapter 421.

SB 1977 (Harold T. Johnson). Appropriates \$20 million from State Highway Fund to be made available as Congress appropriates matching federal funds for construction of a state highway across the Sierras into San Francisco Bay area. Chapter 1700.

Bad Bills

AB 638 (Fleury). As amended, established an absolute speed limit of 50 miles per hour. Died in Assembly committee.

AB 2368 (Hobbie). As enacted, limits the discretion of courts with respect to the revocation and suspension of licenses; vests such discretion in the Department of Motor Vehicles rather than the courts. Chapter 779.

AB 2490 (Charles W. Lyon). Repealed three per cent gross receipts tax on truckers. Died in Senate.

AB 2930 (Hobbie). As enacted, exempts from vehicle registration, trailers used exclusively to haul implements of husbandry when used by farmer owner to haul his own implements not to exceed 25 miles from point of origin. Chapter 847.

ACR 62 (Lowrey). Requests Department of Motor Vehicles to consider orchard trailers as "implements of husbandry" for purpose of exemp-

tion from vehicle registration. Resolutions, Chapter 200.

SB 928 (Gibson). Prohibited the operation of vehicles used for transportation of property on highways on holidays and week-ends; made certain exceptions. Referred to interim committee for further study.

SB 1348 (Burns). As enacted, exempted from vehicle registration, trailers used to transport cotton between cotton farm and cotton gin, and vehicles, implements or equipment used exclusively in maintenance of cemetery grounds and only incidentally on highways. Vetoed by Governor.

Other Bills

SB 762 (Abshire). As enacted, requires any motor vehicle towing any kind of a trailer to maintain 500 feet distance between another truck with or without trailer, except when passing, driving on a specially designated lane for trucks, or when driving on a right-hand lane of a four-lane divided highway; inapplicable to passenger vehicle drawing a camping semi-trailer or small trailer or other passenger vehicle. Chapter 458.

1953 Compromise Bill on Road Construction

AB 1237 (Lincoln). Provides for a 1½-cent increase in gasoline tax, a 2½-cent increase in diesel tax, a \$2 increase in plate fees which are now \$6, a \$1 increase in driver's license fees for a 4-year permit, and an increase of about 33 per cent in weight fees on trucks and buses—all for a period of two years.

Tax rates will be reduced after July 1, 1955 as follows: gasoline and diesel tax, ½-cent per gallon; registration or plate fee, \$1, from \$8 to \$7; driver's license fee, \$.50, from \$3 to \$2.50; and weight fees will be reduced to 22 per cent above present fees as compared to 33 per cent increase that will be in effect during first two years.

Distribution of funds will be as follows: for first two years, 60 per cent of all money available for construction, both "old" and "new," will be distributed in accordance with present "Mayo formula," which provides for minimum expenditures on state highways in each county according to percentages based on highway deficiencies as determined in 1946. After June 30, 1955, 65 per cent of all money available for construction will be the base for guarantees of expenditures in each county. A new set of percentages for individual counties, derived from a weighted average of deficiencies as they existed in 1946 and the new in-

ventory of highway needs or deficiencies as they were found to exist at the beginning of 1953, will go into effect. Practical effect of the new formula is that "old" money (money from existing tax rates) will continue to be expended according to deficiencies existing in 1946, while "new" money will be distributed according to the recent inventory of highway deficiencies or needs. Chapter 1200.

PUBLIC HEALTH

See also INSURANCE

Good Bills

AB 969 (Rumford). Deletes requirement that cities and counties must establish and maintain tuberculosis wards or hospitals in order to receive the state tuberculosis subsidy. Chapter 550.

AB 2055 (Rumford). Provided for the creation of a local board of public health in counties having a public health department which serves over 25,000 people and contracts to render services to unincorporated cities within the county. Died in Assembly committee.

AB 3188 (Collins). Provided for a prepaid health insurance system, guaranteeing free choice of doctor and financed by a two per cent tax on wages, half paid by worker and half by employers. Died in Assembly committee.

SB 722 (McBride). Appropriates \$80,000 for planning the construction and equipping of a rehabilitation center to serve as a basic teaching and research facility of UCLA medical school. Chapter 1509.

SB 777 (Mayo). As enacted, authorizes State Department of Public Health to organize and operate local public health services in counties with a population of less than 40,000 upon the request of the board of supervisors of the county and upon the appropriation by such county of 55 cents per capita. Chapter 740.

SB 1182 (Miller). As enacted, authorizes junior colleges to conduct accredited schools of nursing; provides that accredited schools of nursing may give credit for required nursing subjects taken at institutions of collegiate grade. Chapter 1032.

SB 1770 (Burns). Originally a bad bill, providing new licensing and regulating facilities for clinics, health centers, etc., under Department of Public Health, while denying licensing of labor union clinics or health centers by omission. As

enacted, specifically allows licensing of employees' clinics operated by a group of employees or jointly by employees and employers without profit. Chapter 1098.

SB 1781 (Burns). Extended definition of horse meat to include cooked, as well as uncooked, meat. Died in Senate committee.

SB 1940 (Ed C. Johnson). Appropriated \$150,000 for emergency control of "sleeping sickness" epidemics and other mosquito-transmitted diseases. Died in Senate committee.

Bad Bills

SB 302 (Desmond). Requires that name and address of distributor, instead of producer, be placed on label of market milk as an alternative to original bottler's name and address. Chapter 757.

SB 1507 (Dilworth). As passed by Senate, exempted from kitchen size requirements for auto courts and resorts (1) kitchen facilities intended for incidental use and not regular meal preparation, and (2) buildings constructed prior to 1949 costing at least \$5,000 per unit and buildings occupied not more than 30 per cent of each year. As enacted is less objectionable: exempts only kitchens intended for individual use. Pocket-vetoed by the Governor.

SB 1797 (Thompson). As amended, created an Examining Committee on Practical Nursing under Board of Medical Examiners for purpose of licensing, and regulating the course of study, training and practice of practical nurses. Died in Senate committee.

RAILROAD EMPLOYEES

Good Bills

AB 49 (Davis). Required one engineer and fireman for each diesel electric locomotive, and one helper in addition to motor or power control man for each train propelled by motive power other than steam or electricity. Died in Assembly committee.

AB 1645 (Chapel). Required every train to be equipped with chemical toilet for passengers and crew; prohibited

dumping of sewage or other waste material over railroad right of way. Died in Assembly committee.

AB 2411 (McMillan). Made it a misdemeanor for railroad to hold a hearing investigating alleged violation of company's rules or involving dispute between company and employees without making a complete transcript available to employees. Died in Assembly committee.

SB 830 (Harold T. Johnson). Requires that rail track motor cars used for transportation of railroad workers be equipped with certain safety and protection devices against elements; makes violation a misdemeanor. Chapter 1340.

SB 940 (Cunningham). Required conductor pilot, in certain specified situations, to accompany an engine operating without cars attached. Died in Senate committee.

SB 1171 (Collier). Required all cabooses or trains to be equipped with laminated safety glass. Died in Senate committee.

SB 1172 (Collier). Required that cabooses on any train be equipped with flush type toilet facilities. Died in Senate committee.

SB 1482 (Cunningham). Required a minimum crew of two brakemen and one flagman on freight, mixed, or work trains consisting of 50 cars or more. Referendum measure. Died in Senate committee.

Bad Bills

SB 970 (Weybret). As amended, repealed Section 6904 of Labor Code requiring each locomotive to have one engineer and one fireman when being moved in train under steam, unless the engine is disabled. Died in Senate committee.

SB 971 (Weybret). As amended, repealed Section 6903 of Labor Code regarding self-propelled pile drivers, crews and car or vehicle crews, leaving make-up of such crews to company. Died in Senate committee.

SB 973 (Weybret). As amended, added Section 103 to Labor Code to deny jurisdiction to the Division of Labor Law Enforcement in any dispute between an employer and employee subject to the Railroad Labor Act. Died in Senate committee.

SCHOOLS

The enactment of necessary state apportionment formula legislation by the 1953 session was complicated on one hand by the problem of apportioning the \$67 million increase in state aid voted by the people in November 1952 in the passage of Proposition No. 2, and, on the other hand, by eleventh hour efforts to write into the apportionment formula restrictions on adult education contained in SB 1922, which was defeated earlier in the session. Basic conflicts were ironed out in free conference.

The final version, SB 731, apportions some \$367

million in what is perhaps the most adequate state aid and equalization program in California history. With regard to adult restrictions, however, there remain some doubtful provisions. While the harsher provisions of SB 1922, opposed

by the Federation, were deleted from the apportionment bill and a compromise formula adopted which in general is believed to clean up alleged minor abuses without seriously injuring the adult education program, there remain several provisions which may seriously affect related training under the apprenticeship program, depending upon the construction given to these adverse provisions in the rules and regulations which the State Board of Education is authorized to adopt to implement them.

With these reservations as to apprenticeship classes, **SB 731** is reported as a "good" bill. **SB 1922**, the original adult education bill, is reported under "bad."

Action to increase minimum teacher salaries and liberalize the retirement law are reported under **TEACHERS AND OTHER SCHOOL EMPLOYEES** along with other measures directly affecting school employees.

Good Bills

AB 499 (Dunn). Allows school districts and county superintendents of schools to provide schools and special day classes for children orthopedically, visually, or orally handicapped, as well as cerebral palsied children, and for physically handicapped children excused part of the time from regular class for remedial class. Chapter 775.

AB 515 (Morris). As enacted, requires governing board of a school district, 10 days before a tax rate election, to mail voters a sample ballot, a notice of time and place of election, and a brief summary of issue involved. Chapter 1725.

AB 1588 (Dunn). Weak educational television bill, taken up upon defeat of numerous other bills, merely allowing, as amended, school boards and other local agencies to utilize television in teaching and to operate and contract educational television facilities. Motion to withdraw bill from committee refused by vote of 29-42. Died in Assembly committee.

AB 3280 (Meyers). Appropriated \$700,000 for establishment of 1,000 \$500 per year undergraduate scholarships to be administered by State Department of Education and Regents of the University of California and 250 \$750 per year professional and graduate school fellowships to be administered by Regents. Died in Assembly committee.

AJR 21 (Cloyd). Urges Federal Communications Commission to extend time for making application for educational television channels beyond June 2, 1953 deadline. Resolutions, Chapter 73.

SB 15 (McBride). Makes numerous changes in vocational rehabilitation law, making it possible for Bureau of Vocational Education to expand activities in this area. Chapter 1647.

SB 731 (Dilworth). School apportionment bill. As passed by Senate, conflicted in several provisions with Assembly version (**AB 1728, Dunn**): outstanding conflict was inclusion of restrictions on adult education in **SB 1922**, reported under "bad" bills, below.

As amended in conference committee and enacted, increases school aid by \$67 million in accord with Proposition 2 adopted at November 1952 election, making an overall apportionment of \$367 million. Among other provisions, increases the foundation programs, assures expenditure of not less than 85 per cent of state aid for teacher salaries, increases minimum school year from 170 to 175 days, and allows use of only 40 per cent of federal funds in computing equalization aid and none of the forest reserve funds.

Compromise on adult education restrictions are as follows: allows equalization aid for adult classes not to exceed \$200 per a.d.a., but does not allow counting of adult attendance in determining eligibility of a district for equalization aid; bans state aid for dancing and recreational physical education, allowing districts to conduct such classes at local expense, while removing maximum fee of \$6 for adult classes and placing upper limit as actual cost of a class; defines an adult as anyone attending evening classes and over 21 years old as of September 1 or February 1, enrolled for less than 10 hours a week in regular high school and junior college classes, with persons over 21 enrolled for more than 10 hours per week in classes counting for graduation being considered as regular high school or junior college students; and denies state aid for attendance by pupils who are paid for time spent in training or for classes not open to the public.

The latter two restrictions, depending upon interpretation and implementation, may operate to cripple related classroom training of apprentices and industrial education in general. Chapter 672.

SB 937 (Harold T. Johnson). As enacted, allows governing board of elementary districts to establish summer schools as well as special day and evening classes. Chapter 1581.

SB 1323 (Mayo). Authorized governor to enter Western

Regional Higher Education Compact to promote better cooperation in higher education and to create a Western Interstate Commission on Higher Education. Died in Senate committee.

SB 1384 (Miller). As amended, appropriates \$868,920 for construction, improvements, and equipment at School for Cerebral Palsied Children, Northern California. Chapter 1765.

Bad Bills

AB 913 (Bulen). Repealed "need" requirements for issuance of work permits to children, substituting requirement that child be in good health and have permission of parent or guardian; deleted provision limiting permit to 6 months. Died in Assembly committee.

SB 730 (Dilworth). Allowed emergency use of school buildings which do not meet the requirements of law until the end of present national emergency, if declared reasonably safe by school district for 5 years. Died in Senate committee.

SB 882 (Erhart). As enacted, allows Director of Education, upon recommendation of the faculty and president of a state college, to exclude students who violate in any substantial manner generally accepted standards of conduct, without defining such conduct. Chapter 1626.

SB 1922 (Harold T. Johnson). As amended, placed several restrictions on adult education: (1) restricted adult education provisions to persons having attained 21st

birthday, (2) denied equalization aid to any adult classes while continuing basic aid for approved classes, (3) denied all state aid to classes in physical education, dancing, civil defense, first aid, homemaking, as well as classes conducted outside of school buildings, with certain exceptions, classes which are recognized phases of governmental agencies for which such agencies have financial responsibility, and classes where enrollees are paid while in attendance, (4) allowed local school boards to conduct classes denied state aid at their own expense, while repealing present \$6 limitation on tuitions; and (5) appropriated state funds saved from cutback in adult education to elementary districts as equalization aid. Made other changes.

As so amended, the measure passed the Senate by a vote of 32-4, but died in Assembly committee. Efforts to revive the issue by amending the substance of the defeated **SB 1922** into the basic school apportionment bill were only partially successful. See **SB 731** above.

Other Bills

AB 824 (McGee). Originally a bad bill allowing school districts to charge students for use of recreational facilities or equipment, including school buses, in same manner as they may charge other persons and organizations who use such facilities. As enacted is unobjectionable; allows school districts to require persons or organizations using school buses to pay fee prescribed by board; also allows leasing of state college facilities. Chapter 1727.

SOCIAL WELFARE

The policy of retrenchment adopted by the legislature (see TAXES) in order to balance the budget without increasing revenues had its most serious consequences on social welfare measures. All measures involving the expenditure of funds to liberalize and expand social welfare programs, including bills to increase aid to the aged and the blind by \$5 and \$10 respectively, were ultimately rejected. The most notable casualty, however, was the defeat, for the second consecutive legislative session, of the Governor's program, **AB 841**, to grant up to \$75 per month in aid to the totally and permanently disabled. This is a federal-state-county program, similar to the old age security program, and is authorized by Congress. At present, 39 states have adopted the program, leaving California as one of the very few who have refused to implement it in any form.

A number of "good" bills to liberalize or abolish "relatives' responsibility" met with the firm opposition of dominant forces desiring to extend the inequitable provision. Several of the com-

promise measures resulting from these skirmishes are neither very good nor very bad.

The attack against the aid to needy children program, begun at the 1951 general session due to liberalization in 1949, was continued in the recent session, and resulted in the passage of several measures, which, although not extremely bad, may work hardships in some cases. Only one such measure, **AB 1773**, is classified as "bad."

General

Good Bills

AB 44 (Hinckley). Allows county boards of supervisors to destroy, without making photostats, case histories of recipients of indigent aid who

have not received such aid for five years. Chapter 73.

AB 335 (Kilpatrick). Required counties to disregard aid granted other aged or indigent persons in determining the eligibility of any individual for county indigent aid. Died in Assembly committee.

AB 559 (Stewart). Repealed chapter providing for establishment and administration of state inebriate colonies for isolation and rehabilitation of chronic inebriates; required Director of Mental Hygiene to contract with nonprofit corporations for establishment and administration of nine area clinics for study and treatment of acute chronic alcoholics who are unable to pay for treatment. Died in Assembly committee.

AB 659 (Kilpatrick). Prohibited counties from disqualifying any person from applying for indigent aid by reason of ownership of insurance policies. Died in Assembly committee.

AB 841 (Maloney). As introduced, established state plan providing up to \$75 per month in aid to the needy permanently and totally disabled, in accordance with Title XIV of federal Social Security Act; carried appropriation of \$5,544,000 in separate bill (**AB 1058, Sherwin**) to defray state cost. As such, denied favorable recommendation in Assembly committee.

Following first defeat, original bill was amended to limit eligibility to needy permanently and totally disabled who are chairbound or bedridden and in need of continuous care, and appropriation was cut to \$1,875,000. As so amended, passed Assembly by vote of 52-2 and died in Senate committee.

AB 2427 (Hawkins). As amended, required that hospitalization needs of recipients of public assistance be granted without charge by counties while continuing liability of relatives and estate of recipient. Died in Senate committee.

SB 1448 (Kraft). As enacted, requires every county, unless there exists a reciprocal agreement relating to expense of medical care and treatment, to pay expense of treatment of indigent residents furnished by another county; county granting care must give notice to responsible county within 10 days of admission of indigent. Chapter 1083.

Bad Bills

AB 2684 (Lanterman). Declared it the policy of the state to recover from estate of recipients of public assistance the amount of public funds expended on them. Died in Assembly committee.

AB 2696 (Lanterman). As amended, required applicants for assistance under federal-state programs to sign a statement, under penalties of perjury, prior to receiving aid, identifying real and personal property holdings and income. Died in Senate committee.

AB 2697 (Lanterman). Opened confidential records of recipients of public assistance, with certain restrictions,

to grand juries and citizens in general. Died in Assembly committee.

AB 2968 (Allen). Required counties to file quarterly reports showing names, addresses, and amounts paid to recipients of aged aid; opened such reports at all times for public inspection. Died in Assembly committee.

Aged and Blind Aid

Good Bills

AB 334 (Elliott). Excluded income tax deductions in determining net income of responsible relatives of recipients of aid to the aged for purpose of determining amount of relatives' liability. Died in Assembly committee. See **AB 624** below.

AB 640 (Henderson). As enacted, simplifies the procedure for determining relatives' responsibility of applicants and recipients of aid to aged, while eliminating requirement of a sworn statement as to whether or not the relative is contributing to support of applicant or recipient and will continue to do so; responsible relative is merely required, upon request, to supply information essential to determining relative's liability under contribution scale. Chapter 688.

AB 641 (Henderson). Excluded all mandatory wage deductions, union dues, and the cost of tools, uniforms, of sending children to nursery school, and normal business operation expenses, etc., in determining the net income of responsible relatives of recipients of aid to the aged. Died in Assembly committee. See **AB 624** below.

AB 737 (Kilpatrick). Increased aid to the aged from \$80 to \$85, with provision for further increases or decreases between \$90 and \$80 dependent upon changes in federal contributions. Withdrawn from Assembly committee by vote of 42-26. Motion to take up the bill out of order failed by 25-26, and a second motion to take up bill before deadline for consideration of bills in house of origin failed by 46-10.

AB 738 (Kilpatrick). Repealed relatives' responsibility in aid to the aged law. Died in Assembly committee.

AB 1654 (Ernest R. Geddes). As amended, appropriated \$21,800 to establish a Citizens Advisory Committee on the Aging composed of from 9 to 25 persons appointed by the Governor. Died in Assembly committee.

AB 1670 (Brown). As passed by Assembly 60-3, increased aid to the needy blind from \$85 to \$95 with provision for further increases up to \$100 dependent upon increases in federal contributions. Died in Senate committee.

AB 1671 (Brown). As passed by Assembly 57-4, increased aid to partially self-supporting blind from \$85 to \$95, with provision for further increases up to \$100 dependent upon increases in federal contributions. Died in Senate committee.

AB 1675 (Brown). Appropriated \$19,000 to provide Division of the Blind with its own staff to supervise the

administration of aid to the blind. Died in Assembly committee.

AB 1676 (Brown). Provided for deduction of principal payments, which are directly related to an enterprise to help a blind person achieve self-support, from gross income in determining net income of recipient of aid to partially self-supporting blind. Died in Senate committee.

AB 2059 (Kilpatrick). Allowed granting of old age assistance to aliens with 25 years' continuous residence in U.S. Died in Assembly committee.

AB 2307 (Lincoln). Provided state financial assistance to counties for the construction and operation of hospital facilities for care and treatment of aged and infirm persons. Passed Assembly in somewhat weakened form by vote of 55-6. Died in Senate committee.

AB 2403 (McMillan). Originally provided that once aid to a single or married aged person has been granted, any reassessment of real property of recipient, community or otherwise, above maximum value of \$3,500 shall not disqualify recipient. As amended, and passed by Assembly, increased maximum value of real property which a single or married person may hold to \$3,800 while adding proviso requiring real property not occupied as a home to be utilized to provide needs of recipient. Died in Senate committee.

AB 2755 (Kilpatrick). Declared money paid to recipients of aid to aged as intended to help recipient meet his individual needs, and prohibited such aid from being construed as income to any other person. Died in Senate committee.

AB 2814 (Hawkins). Prohibited money received by applicant or recipient of aid to aged from sale of home from being considered as income or property, except portion exceeding price of home subsequently bought. Died in Assembly committee.

AB 2816 (Hawkins). Originally cut from 60 to 30 days period for completing investigation under application for aid to aged. As enacted, simply states that processing shall be completed without delay, while maintaining present 60-day period, and allows person whose application has been denied to apply again for aid after 90 days, instead of one year. Chapter 1644.

AB 2879 (Porter). Originally provided for transference of case histories of recipients of aid to aged to another county with movement of recipient; made such transfer evidence of right to continued aid. As enacted is less desirable: merely requires transfer of copies of papers directly relating to eligibility which are in case histories upon request of county to which recipient moves, deleting provision for automatic continuation of aid. Chapter 940.

AB 2880 (Porter). As enacted, requires county checks to recipients of aid to aged to be placed in

the mail in time for delivery on the first postal delivery day of each month. Chapter 1645.

AB 2929 (Chapel). Prohibited counties from making any ruling limiting actual need of recipient of aid to aged. Died in Assembly committee.

AJR 35 (Patterson). Urges Congress to enact legislation to permit recipients of aid to aged to earn \$50 per month without affecting aid. Resolutions, Chapter 207.

SB 780 (Donnelly). Made aliens eligible for aid to aged. Died in Senate committee.

SB 809 (Regan). As enacted, provides for restoration of aid to a former recipient of aid to aged whose aid has been cancelled or discontinued for any cause, except employment, and who requests restoration before expiration of one year from date of cancellation or discontinuance, and who is determined to be eligible for aid; provides that no new application shall be required if restoration of aid is requested in county where aid was cancelled or discontinued. Chapter 1278.

SB 912 (O'Gara). As enacted, requires a county to which a recipient of aid to aged has moved during one-year interim period for establishment of residence to provide medical and hospital care without the right to demand payment of cost of such care from county granting the aid and from which recipient has moved. Chapter 984.

SB 913 (O'Gara). Makes same changes as SB 912 with regard to recipient of aid to needy blind who move to another county. Chapter 985.

SB 914 (O'Gara). Makes same changes as SB 912 and SB 913 with regard to recipients of aid to the partially self-supporting blind who move to another county. Chapter 1054.

SB 1885 (Miller). Provided that lump sum income from either earnings or investments made prior to application for aid to aged which has accrued over a period of two or more years, and which may be expected to be repeated in the future, shall be considered as personal property not to be utilized to meet the needs of the recipient. Died in Senate committee.

SB 1888 (Miller). Required that both the intent and physical presence within the state be considered whether a person making application for aid to aged has resided long enough to qualify for aid. Died in Senate committee.

Bad Bills

AB 59 Hinckley). Deleted provision requiring married daughter of an applicant for aged aid to make contributions for his support only if she has income constituting her separate property. Died in Assembly committee. See AB 624 below.

AB 783 (Sherwin). Repealed provisions of Welfare and Institutions Code requiring the state to reimburse counties for the cost of institutional care of aged and blind persons. Died in Assembly committee.

AB 2886 (Cloyed). Extended relatives' responsibility provisions of aid to aged law to persons living outside of state; authorized Department of Social Welfare and Attorney General to execute reciprocal agreements with other states for collection of applications in favor of state furnishing aged aid. Died in Assembly committee.

SB 1453 (Kraft). Made spouses, with regard to aged aid, legally responsible for mutual support of each other after their own immediate needs are taken care of. Died in Senate committee.

SB 1746 (Weybret). Originally repealed relatives' responsibility provision of aid to aged law, while imposing limitations on the transfer of real property by applicants and recipients of aged aid, and providing for repayment of such aid out of the estate of recipient. Amended to delete repeal of relatives' responsibility, while retaining limitation on transference of property and repayment of aid out of estates, and increasing amount of aid from \$80 to \$90 per month. As such, died in Senate committee.

Other Bills

AB 624 (Hinckley). As introduced, was a bad bill: deleted provision requiring daughter of applicant for aged aid to make contributions for support only if she has income constituting her separate income; defined income of a responsible relative as that constituting the separate property of the responsible relative and the income which is community property subject to the direction and control of responsible relative.

As amended and enacted, further defines income to exclude earnings from income constituting community property and to include earnings of the responsible relative but not of his or her spouse, with the net effect of equalizing the responsibility of a husband and wife for their respective parents while at the same time maintaining the extension of a married daughter's responsibility; contains a good provision allowing a flat 20 per cent deduction for income taxes, unemployment insurance taxes and social security taxes, and a necessary expense deduction for self-employed persons in computing net income for purposes of determining the liability of a responsible relative; also formalizes relatives' responsibility under the aid to the needy blind law and aid to the partially self-supporting blind law by extending to them the provisions and the relatives' responsibility scale of the aid to the aged law. The net effect of this latter provision will be to increase the overall cases in which relatives will be

required to contribute to the support of blind recipients. Chapter 519.

SB 808 (Regan). As passed by the Senate, was a good bill speeding the period of investigation during which eligibility of applicants for aid to needy blind must be established. As enacted, also contains provisions of **AB 624** extending relatives' responsibility under aid to needy and partially self-supporting blind laws by making applicable to them the provisions and contribution scale of the aid to aged law. Chapter 1554.

Children

Good Bills

AB 60 (Hinckley). Requires county to which a needy child has moved to provide necessary medical and hospital care during one-year period of establishment of residence, without right to demand payment of cost from county granting aid and from which child has removed. Chapter 685.

SB 805 (Regan). As enacted, speeds investigation period during which an application for aid to needy children must be completed, and payments begun, if child is found eligible. Chapter 1512.

SB 807 (Regan). Provides for restoration of aid to former recipient of aid to needy children whose aid has been cancelled or discontinued for any cause, and who requests restoration before expiration of one year from effective date of such cancellation or discontinuance; requires no new application if restoration is requested in county where aid was cancelled or discontinued. Chapter 1277.

SB 1451 (Kraft). Increased from \$3,000 to \$3,500 assessed value of real property allowed child or parents of child applying for aid to needy children. Died in Senate committee.

Bad Bills

AB 15 (Hinckley). Deleted prohibition against withholding of aid from a needy child because of failure of stepfather to support child; repealed existing standard for determination of liability of stepfather; and declared a child not to be needy if stepfather declares him as a federal income tax exception. Died in Assembly committee.

AB 625 (Hinckley). Repealed prohibition against withholding of aid from a needy child because of failure of stepfather to support child, and made a husband liable for support of his stepchildren to an amount not exceeding his wife's community property interest in his income. Died in Assembly committee. See **AB 1773** below.

AB 1772 (Allen). Deleted provision that removal of a needy child from one county to another will not work a forfeiture of aid previously awarded for a one-year period, and required aid to terminate 2 months after such re-

moval, subject to any right to make application for aid authorized by Section 1512 of Welfare and Institutions Code. Died in Assembly committee.

AB 1773 (Allen). As introduced, deleted existing provisions establishing liability of a stepfather for support of needy children, including prohibition against withholding aid because of failure of stepfather to support child, and making a married person bound to support, if able to do so, his spouse's children who are recipients of aid or who are eligible to become recipients.

As enacted, retains repeal of provision which prohibits withholding of aid because of failure of stepfather to give support, and makes stepfather liable for support of a needy child to the amount of his wife's community property interest in his income. Adds provision that natural father is not relieved of any legal obligation to support his children because of liability for support imposed upon stepfather. Chapter 1182.

AB 1777 (Allen). Provided that a child shall not be considered needy solely by reason of death or continued absence of one parent, where other parent has remarried, and there is living at home with such child, a stepparent and remaining parent. Died in Assembly committee.

AB 1817 (Sherwin). Increased from three to six months the period of time required to elapse in order for a child deprived of parental support because of separation or desertion to be considered a needy child. Died in Assembly committee.

AB 2225 (Allen). Extended relatives' responsibility to aid to needy children law; made natural parents, stepparents, and grandparents liable for support and reimbursement of county aid. Established claims against such relatives' estates for amount of aid granted needy child. Died in Assembly committee.

SB 305 (Thompson). Repealed requirement that state reimburse counties for one-half cost of transporting needy children to proper homes without the state. Refused passage in Senate by vote of 17-15. Vote whereby bill was refused passage was reconsidered and measure was referred to committee where it was allowed to die.

SB 1602 (Hulse). Removed insurance from among items that may be verified by the Department of Social Welfare in establishing minimum basic standards of adequate care for needy children, and included such insurance as one of items of special need for which allowance may be given. Died in Senate committee.

Other Bills

AB 1775 (Allen). As enacted, directs state, county and local agencies to cooperate in locating parents who have abandoned or deserted needy children, and to supply, upon request of county welfare department or of district attorney, all information relative to location, income, and property of such parents, notwithstanding such information being declared confidential by other provisions of the law; restricts use of information obtained for administration and enforcement of support liability. Chapter 1248.

AB 1776 (Allen). As enacted, excludes from aid to needy children, child over 16 years of age who is neither regularly attending school, nor disabled, nor employed and contributing to the family. Chapter 1249.

AB 1778 (Allen). As enacted, requires parent of needy child to report regularly to the nearest state employment office which may in turn, if parent is found unable to work, refer him to the Bureau of Vocational Rehabilitation to determine feasibility of his rehabilitation. Chapter 951.

SB 1605 (Hulse). As enacted, requires county to immediately notify district attorney when there is doubt about the ability of a parent to support a child granted aid; requires county welfare department to cooperate with district attorney by furnishing him all case record information on suitability of prosecution; requires district attorney to prosecute to the limit and report regularly to board of supervisors on his progress. Chapter 363.

STATE, COUNTY AND MUNICIPAL EMPLOYEES

Measures affecting state, county and municipal employees are also reported under CIVIL RIGHTS, INSURANCE, and LABOR UNIONS according to content.

General

Bills marked * were sponsored by the Federation

Good Bills

***AB 48 (Thomas J. Doyle).** Made provisions of Labor Code relating to payment and failure to pay wages appli-

cable to state, county, and municipal employees. Died in Assembly committee.

AB 198 (McCollister). Deleted provision creating presumption, in disciplinary proceedings for state civil service employees, that the statement of causes of disciplinary action is true. Died in Assembly committee.

***AB 468 (Elliott)**. Extended allowance for meals or 3 hours off in every 24 with pay, to city employees working over 60, rather than 120, hours a week. Died in Assembly committee.

AB 596 (Lindsay). Increases from 18 to 20 the number of days of vacation allowed state employees and officers with 25 or more years of service. Chapter 959.

AB 632 (Caldecott). As passed by Assembly 43-23, increased salaries of state officers by 10 per cent. As amended in Senate, increased salaries by only 5 per cent, including the following:

	Old	New
California Unemployment Insurance		
Appeals Board members.....	\$14,000	\$14,700
Director of Industrial Relations.....	12,000	12,600
Industrial Accident Commission		
members	11,000	11,550
Labor Commissioner.....	11,000	11,550
Chief of Division of Industrial		
Welfare	10,000	10,500
Chief of Division of Industrial		
Safety	10,000	10,500
Chief of Division of Housing.....	10,000	10,500

Died in Senate committee. An attempt by the Assembly in the closing minutes of the session to revive the issue by amending an approximate increase of 7½ per cent for state officers into a municipal court salary bill, **SB 61**, succeeded in the Assembly, but died in the Senate as the measure was stricken from the file by a voice vote.

AB 646 (Fleury). As passed by the Assembly, appropriated \$45,000 to pay cost of medical examinations required of applicants for civil service positions. As amended in Senate, appropriated only \$35,000, and denied payment of examination costs for clerical help except where such examinations are declared in the interest of the state. Died in Senate committee.

AB 652 (Samuel R. Geddes). Required state officers and employees to be paid twice a month instead of once a month. Subject matter referred to Interim Committee on Civil Service and State Personnel for further study.

AB 700 (Sherwin). 1953-54 Budget. Includes \$9,350,000 for salary increases for state employees for coming fiscal year, amounting to about 5 per cent increase, or an advancement of one step in salary schedule for state employees. Original appropriation passed by Assembly amounted to \$12,146,112, which was cut to \$7,419,518 in the Senate and then increased in conference to the \$9,350,000 figure. Chapter 971.

AB 895 (Hawkins). Allowed women state employees at least 6 months maternity leave of absence without pay. Died in Assembly committee.

AB 1146 (Nielsen). As enacted, requires notice of layoff to state civil service employees to be in

writing and to contain reasons for layoff. Chapter 278.

AB 1583 (McCollister). Required that employees of a state department or agency be furnished uniforms at state cost when uniforms are required. Died in Assembly committee.

AB 1741 (Henderson). Provided for increases in vacation days for state employees on the basis of longevity, increasing maximum after 30 years to 28 days. Died in Assembly committee.

AB 1743 (Henderson). Required overtime wage rates to be determined by State Personnel Board on the basis of prevailing rates in private industry and other public jurisdictions whenever feasible. Died in Assembly committee.

AB 1745 (Henderson). Provides for moving expenses for state officers and employees required to move as a result of change in assignment, promotion, or other reason related to their duties. Chapter 448.

AB 1770 (Henderson). Required State Personnel Board to give notice to employee a reasonable time in advance of time compensating time off is to be taken. Died in Assembly committee.

AB 2158 (Henderson). As amended, required state to pay 50 per cent of premium on group health insurance for which state payroll deductions may be made. Died in Assembly committee.

AB 2163 (Fleury). As introduced, required State Personnel Board to allow time for oral presentation in re-hearing of a disciplinary case. As enacted, includes in state civil service all employees in the Bureau of Guidance in the Division of Instruction of the Department of Education. Chapter 1296.

AB 2286 (Shaw). Required that notice of disciplinary action served upon a civil service employee set forth in ordinary and concise language acts or omissions upon which causes are based. Died in Assembly committee.

AB 3169 (Maloney). Legalized the steno-mask form of court reporting. Died in Assembly committee.

AB 3342 (Lindsay). As introduced, required that county officers and employees be paid twice a month instead of monthly. As enacted, make the above provision permissive. Pocket-vetoed.

AB 3435 (Meyers). Made it unlawful for public street railway corporations to discipline or discharge any employee based on a report of its special agent, detective or spotter, which involves a question of integrity, honesty, or a breach of employer rules, unless hearing is accorded the accused employee and he is given opportunity at hearing to question the special agent, etc. Died in Assembly committee.

AJR 7 (Luckel). Urged Congress to enable all public employees, except policemen and firemen, to be covered

by federal social security law. Died in Assembly committee.

SB 1051 (Tenney). As introduced, required that disciplinary actions against state civil service employees in cases of fraud or falsification of records be taken within one year of the offense. As enacted, provides that no punitive action shall be valid unless notice is served within three years after the cause for discipline first arose; makes punitive action based on fraud, embezzlement, or the falsification of records invalid unless notice for such action is served within three years after discovery. Chapter 1537.

SB 1429 (Kraft). As enacted, allows employee of state or local agencies, until 1955, to be granted a leave of absence without pay for two years to accept temporary position in a foreign country under Point Four program; employee retains right for three months after termination of such service to be restored to his former position. Chapter 1584.

Bad Bills

AB 1004 (Dolwig). Restricted state employees' right to support and oppose legislation. Died in Assembly committee.

AB 1427 (Lipscomb). Restricted annual merit pay adjustments for state employees. Died in Assembly committee.

AB 1430 (Lipscomb). Repealed provisions in Government Code relating to vacations, sick leave, etc., for state employees, and allowed these to be provided for by the State Personnel Board by rules and regulations. Died in Assembly committee.

AB 1434 (Lipscomb). Prohibited State Personnel Board from using salary rates in public employment as basic information in fixing state employees' salary, except for classes peculiar to state service; prohibited retroactive pay. Died in Assembly committee.

AB 1803 (Meyers). Provided 15 days per year vacation for state officers and employees instead of 1¼ days per month. Died in Assembly committee.

Retirement Laws

Good Bills

AB 172 (Shaw). Extends, with provision for local option, \$1,200 minimum retirement allowance for county employees under the County Employees Retirement law of 1937, granted by the 1951 legislature to employees retiring after September 22, 1951, and to those who were retired prior to October 1, 1949, to those retired between those two dates. Pocket-vetoed by the Governor.

AB 310 (Fleury). Allows a member of the state retirement system to revoke an election made

upon discontinuing state service to leave his contributions in the retirement fund and be retired with allowance upon qualification for retirement or disability. Chapter 260.

***AB 466 (Elliott).** Required any group of employees entering the state retirement system to be given 100 per cent credit for prior service to a contracting agency. Passed Assembly without opposition and died in Senate committee.

AB 508 (Rumford). As enacted, makes applicable in any county having a population of over 250,000 or henceforth gaining such a population, the "fixed benefit" provision, which guarantees county employees large retirement allowances, now applicable only in Los Angeles county or counties having taxable property assessed in excess of \$3 million, or having more than 10,000 members in its retirement system. Makes related beneficial changes. Chapter 992.

AB 525 (McFall). Extends until 1955 provisions in county retirement law regarding employment of persons and retention in service of persons over retirement age. Pocket-vetoed.

AB 594 (Lindsay). Continues until 1955 provision in state retirement law which authorizes state employment of persons who have attained age of compulsory retirement. Pocket-vetoed.

AB 712 (Fleury). As enacted, provides that pay received by state employees for holidays, sick leave, vacation, compensating time off, or leave of absence shall be included in computing creditable service under state retirement system; provides that a member who is entitled to a leave of absence with compensation shall not be retired for disability prior to expiration of the leave unless he so desires to be retired. Makes above provisions retroactive. Chapter 876.

AB 1692 (Waters). Originally extended \$1200 minimum retirement allowance for county employees in Los Angeles to employees of counties with population of over 500,000, and made such minimum exclusive of any annuity based on additional contributions. As enacted, is less desirable: only makes the minimum exclusive of any annuity based on additional contributions, while extending it to persons 65 years old with 20 years of service, deleting the extension to counties with population over 500,000. Makes other beneficial changes regarding prior service credit and continuation of retirement allowances for service and disability to dependent spouse or children of a deceased retired member. Chapter 843.

AB 1698 (Waters). Permits voluntary retirement of members of county retirement systems who have completed 30 years of service, irrespective of age. Chapter 884.

AB 1701 (Fleury). As enacted, defines final compensation of employees under state retirement system, with provision for local option with regard to contracting agencies, to mean the highest average annual compensation earnable by a member during any period of three, rather than five, consecutive years during membership. Chapter 1687.

AB 1705 (Fleury). Extends from 30 days to 6 months after separation from federal service time within which a member of state retirement system must have been employed by a state agency in order to be eligible to receive state service credit for federal service. Chapter 1246.

AB 1715 (Fleury). Increased, with retroactive provision, retirement allowances for members of state retirement system by 20 per cent, subject to the approval of contracting agencies with regard to local members of the system. Died in Assembly committee.

AB 1718 (Fleury). Increased, with provision for local option with regard to contracting agencies, minimum retirement allowance for members of state retirement system from \$720 to \$1,200 per year. Included retroactive provision. Died in Assembly committee.

AB 1723 (Fleury). Allows a member of state

retirement system who elects to receive optional settlement No. 1 to also elect the manner in which the balance of his accumulated contributions remaining after his death shall be paid his beneficiary or estate. Chapter 1264.

AB 1724 (Fleury). Increased from one-fourth to one-third of member's final compensation, the minimum disability retirement allowance for state and local miscellaneous members of state retirement system. Died in Assembly committee.

AB 1810 (Fleury). As enacted, increases from \$300 to \$400 death benefit payable by state retirement system upon death of a member after retirement; applies to retired state employees and to retired employees of contracting agencies electing to be covered. Also increases state's contribution to Retirement Fund in respect to state miscellaneous members, state patrol members, forestry members and warden members. Chapter 1470.

AB 2221 (Shaw). Applies same changes as **AB 172** (above) to county employees under the county employees' retirement system. Chapter 703.

Bad Bills

SB 1434 (Kraft). Prohibited any person receiving a retirement allowance under an employees' retirement system maintained by a city or a system in which the city participates from being employed by such city. Vetoed by Governor.

TAXES

The magnitude of the tax problem before the 1953 legislature was keynoted in the Governor's budget message. Pointing to a forecasted deficit of \$20 million in his proposed budget for 1953-54 (increasing to about \$100 million the following fiscal year), the Governor urged, as an offset, the imposition of a two-cent cigarette tax, and the enactment of increased excise taxes on beer, wine and liquor, together with increased revenues from horse racing.

While the Federation recognized the need for increased revenues to finance expanded state activity in well defined areas of growth, it rejected proposals to accomplish this end through the imposition of additional consumer taxes on workers already weighed down by a regressive sales tax. In line with long standing policy, it favored a thorough study and revision of the tax structure to provide for increased revenues, if needed, in keeping with the progressive principle of ability to pay.

Rather than face this tax problem squarely,

the legislature adopted a short term policy of retrenchment, axing the Governor's \$1,326 million budget down to \$1,280 million, while holding added expenditures, regardless of need, to a minimum. This action, although successful in balancing the budget for the current fiscal year without increasing taxes, left unsolved and postponed until the 1954 budget session the basic problem of how to meet projected general fund deficits.

A hastily drawn up and inadequately thought out plan was proposed in the closing weeks of the session to raise beer, wine, liquor and horse racing taxes, and use the new money, since the budget was in balance, to reduce personal income taxes. The increases in horse racing taxes were imme-

diately dropped in Assembly committee, but a modified plan, using some \$17 million from increased beer, wine and liquor taxes to give every taxpayer an extra personal income tax exemption of \$1400, managed to pass the Assembly. It was killed, however, in Senate committee.

A third attempt within the same number of years to place California on record in favor of the "millionaires' amendment" calling for a 25 per cent limitation on federal income, gift and inheritance taxes, was defeated in Senate committee. Also defeated were several measures attempting to impose a uniform sales tax on the local level while increasing the overall sales tax rate.

Others tax measures falling under special categories are reported under MOTOR VEHICLES and VETERANS.

Good Bills

AB 431 (Waters). Gives a single person who maintains a home for himself and a dependent person or persons, the same tax considerations as given a married person. Chapter 128.

AB 914 (Bulen). Exempted soft drinks, sodas, other nonintoxicating beverages, and meals from sales and use taxes. Died in Assembly committee.

AB 2585 (Collins). Created a California Tax Commission composed of eight members appointed by the Governor, including two labor representatives, to investigate and study state and local tax structures and administration, and report to the Governor. Died in Assembly committee.

AB 2586 (Collins). Reduced sales and use taxes from 3 to 2 per cent, and increased personal income tax exemption for heads of families and married couples from \$3,500 to \$4,000; made up loss in revenue by increasing general personal income tax rates on net income in excess of \$5,000, insurance company tax on gross premiums, and corporation income taxes. Died in Assembly committee.

AB 3178 (Donahoe). As passed by Assembly 43-27, exempted from state inheritance taxation, all community property passing or transferred to a spouse, rather than only one-half, as at present. Died in Senate committee.

AJR 26 (Patterson). Urges Congress to exempt jury fees from federal income taxation. Resolutions, Chapter 164.

SB 1132 (Desmond). Exempts from sales and use taxes, storage, use or consumption of milk shakes and other milk drinks purchased for consumption off premises of retailer. Chapter 359.

SB 1192 (Hoffman). Exempted candy from sales and use taxes. Died in Assembly committee.

SB 1338 (Burns). Exempted meals served in employer

cafeterias from sales and use taxes. Died in Senate committee.

SB 1748 (Weybret). As amended, allows deduction from personal income tax return expenses incurred in adopting a child. Chapter 1634.

SJR 47 (Weybret). Urges Congress to place an adoptive parent in the same position as a natural parent by allowing as deductions from income tax costs incurred in connection with adoption proceedings. Resolutions, Chapter 238.

Bad Bills

AB 983 (Morris). Exempted from sales and use taxes sales and purchases of cities, counties, and school districts. Died in Assembly committee.

AB 1556 (Erwin). Imposed a 3-cent tax on cigarettes and a 15 per cent tax on sales price of other tobacco products. Died in Assembly committee.

AB 1822 (Sherwin). Imposed a 2-cent tax on cigarettes. Died in Assembly committee.

AB 2432 (Morris). Authorized a person filing a sales and use tax return on or before due date to deduct 3 per cent from return. Died in Assembly committee.

AB 3247 (Meyers). As amended, imposed a 4-cent tax on cigarettes, in lieu of all other taxes, for purpose of providing aid to counties for charities and modernization of county jails; provided for licensing of cigarette distributors, and established fair trade practices for sale of cigarettes. Died in Assembly committee.

SB 76 (Brown). Makes federal conformance changes in personal income and bank and corporation tax laws, increasing depletion allowance for mines. Chapter 1211.

SB 1344 (Burns). Established a uniform sales and use tax throughout state by increasing state sales tax one cent and allowing municipalities three-fourths of a cent credit against tax if they impose a similar three-fourths per cent sales and use tax. Died in Senate committee.

SB 1575 (Breed). Permitted counties to levy one per cent sales and use tax, to be collected by state with proceeds to be split between cities and counties on basis of three-fourths and one-fourth, respectively. Died in Senate committee.

SB 1666 (Hatfield). As amended, extends capital gains treatment of property used in trade or business under personal income tax law to livestock held for breeding or dairy purposes for more than 12 months, and unharvested crops or lands held for more than 12 months, if crop and land are sold or exchanged at same time and to the same person. Chapter 54.

SB 1987 (Cunningham). Imposed additional sales and use tax of one cent with increase in funds going into a newly created Retail Sales Tax Trust Fund for distribu-

tion to cities and counties according to a specified formula based on amount of tax levied in locality on January 1, 1954; denied distribution of funds to cities and counties continuing to levy a sales and use tax after such date. Referred to interim committee for further study.

SCA 19 (Brown). Required taxation of publicly owned property used for the development, generation, transmission and sale of gas, water and electrical energy. Died in Senate committee.

SCA 25 (Ward). Prohibited state from levying ad valorem tax on real property, eliminating present provision allowing such tax up to 25 per cent of total appropriations. Died in Assembly committee.

SCA 26 (Abshire). Required taxation of government property used to conduct "proprietary" functions as designated from "governmental" functions. Died in Senate committee.

SJR 11 (Desmond). Originally requested a federal constitutional amendment to place a 25 per cent limitation on income, inheritance and gift taxes. As amended, called for a limitation without specifying amount. Died in Senate committee.

Other Bills

AB 817 (McGee). As first amended was a bad bill increasing sales and use taxes from three to three and one-half per cent with proceeds from increase going to cities and counties, except those already imposing a sales and use tax, in accordance with a specified formula. As finally amended, required the State Board of Equalization, under certain conditions and upon the request of a local

government, to act as an agent of governing body in all matters relating to the administration of sales and use taxes in order to eliminate duplication and to obtain maximum uniformity in the reporting, collection and auditing of state and municipal sales and use taxes. Died in Assembly committee.

AB 1823 (Sherwin). Originally a bad bill increasing excise tax on hard liquor from 80 cents to \$1.50 per gallon.

Following the balancing of the budget, the measure was amended to use the increase in revenue derived from the proposed increase in liquor taxes, together with a proposed increase in beer and wine taxes as provided in **AB 1824** (below), to grant all income taxpayers an additional \$1,400 exemption, thereby relieving some 800,000 in the lower income brackets from filing state income tax returns. As so amended, passed Assembly by vote of 51-13. Died in Senate committee.

AB 1824 (Sherwin). Originally a bad bill increasing excise tax on beer and wine from two cents to four cents per gallon.

As amended and passed by Assembly 42-27, provided for use of increased revenues, together with increases provided for in **AB 1823** (above), as a means of increasing income tax exemptions. Died in Senate committee.

AB 2644 (Sherwin). Originally increased fees for horse racing licenses. Amended in Assembly as part of plan to use revenues from increases in liquor, beer, wine, and horse racing taxes to raise personal income tax exemptions. (See **AB 1823** and **AB 1824** above). Died in Senate committee.

TEACHERS AND OTHER SCHOOL EMPLOYEES

See also SCHOOLS.

The somewhat liberal attitude shown teachers by the 1953 legislature was in sharp contrast with the conservatism which permeated most other areas of legislation. Federation-sponsored bills in this area, although all defeated, undoubtedly assisted in the enactment of progressive legislation.

Continued pressure to bring salaries in line with responsibilities was productive of a \$400 increase in minimum salaries to \$3,400. A Federation measure to provide a truly adequate minimum salary of \$4,000, however, failed. Another major benefit gained was the enactment of a \$170 per month floor on teacher retirement benefits.

Progress was also made in the directing of eliminating long recognized abuses of the emergency teaching credential. Although a Federation bill requiring school boards to make a more exhaustive effort to obtain teachers with regular credentials before hiring emergency teachers failed, passage of a measure eliminating the emergency credential after July 1, 1954, and substitution of a new provisional credential to be issued in accordance with regulations and standards

adopted by the State Board of Education offers some hope in this direction.

Additional progress in the area of health and welfare insurance is reported under **INSURANCE**.

The only setback for teachers, but a very important one, is reported under **CIVIL RIGHTS**.

Bills marked * were sponsored by the Federation

Good Bills

AB 90 (Ernest R. Geddes). Increases minimum salary of teachers from \$3,000 to \$3,400. Chapter 1635.

AB 92 (Ernest R. Geddes). As passed by Assembly, set minimum teachers' sabbatical pay at one-half of annual salary. As passed by Senate and enacted, is less favorable: requires sabbatical pay to be not less than, instead of equal to, difference

between teacher's salary and salary of a substitute, and not more than one-half of teacher's annual salary. Chapter 582.

***AB 501 (Masterson).** Limited extra-curricular activities beyond normal teaching day frequently required of teachers. Died in Assembly committee.

***AB 502 (Masterson).** Prohibited school boards from employing teachers on an emergency basis without first having advertised for, and failed to receive applications from, teachers with regular credentials; required paying of emergency credentialed teachers same pay for equal work as regular credentialed teachers with same status. Died in Assembly committee.

AB 854 (Hinckley). Originally a bad bill giving school boards the option of granting or not granting the request for a hearing by a probationary teacher dismissed for cause under provision of Section 13583 of Education Code. As enacted, is good bill: requires granting of request by teacher and conduct of hearings in accordance with specified provisions of Government Code. Chapter 1040.

AB 1016 (Dolwig). Allowed school districts participating in federal exchange teacher program to supplement pay of foreign exchange teacher so that annual salary equals at least \$3,000; for purpose of determining sabbatical salary of American teacher, established salary of a substitute foreign exchange teacher at \$2,000. Died in Assembly committee.

***AB 1123 (Chapel).** As amended, extended provision which permits dismissal of probationary teachers for cause only in district with a.d.a. of 60,000 or more, to all districts with a.d.a. of 850 or more. Died in Assembly committee.

***AB 1258 (Masterson).** Required all districts, regardless of size, to grant tenure. Died in Assembly committee.

***AB 1259 (Masterson).** Increased permanent fund retirement allowance from \$600 to \$1200 annually; increased teacher contributions to permanent fund to offset cost of increased benefit, from \$60 to \$120 annually. Died in Assembly committee.

***AB 1261 (Masterson).** Increased minimum teacher salary from \$3,000 to \$4,000. Died in Assembly committee.

AB 2149 (Collier). Allows counting of up to one year of leave of absence granted for recognized fellowship in computing years of service required for sabbatical leave. Chapter 938.

AB 2493 (Lowrey). Makes the holding of annual teacher institutes permissive instead of mandatory. Chapter 1432.

AB 2960 (Donald D. Doyle). Allows a school district to pay a teacher for salary withheld during period when his certification document was not in force, provided his credentials have been renewed within 60 days after end of such a period. Chapter 621.

AB 3325 (Ernest R. Geddes). As enacted eliminates the emergency credential after July 1, 1954, and substitutes a new provisional credential to be issued in accordance with regulations and standards adopted by State Board of Education; requires Board to give consideration to training and teaching experience in California schools. Chapter 1372.

The measure is a step in the right direction in that it eliminates the much abused emergency credential. Development of regulations and minimum standards for issuance of the substitute provisional credential must be closely watched, however, to prevent duplication of evils of the emergency credential.

SB 178 (Erhart). As enacted, allows the appointment of state college employee for four-year term if he has served successfully and acceptably in the college for a period of two years. Chapter 1665.

SB 781 (Donnelly). Provides that 10-day sick leave allowed school district employees need not be accrued by employee before using it; allows sick leave to be piled up indefinitely, repealing present 40-day maximum. Chapter 525.

SB 785 (Dilworth). As enacted, sets a \$170 per month floor on teacher retirement benefits, and increases to a 90 per cent formula the allowance for disability retirement. Appropriates \$1,125,000 to offset state cost of increase. Chapter 1779.

SB 1852 (Miller). Requires that teachers be allowed a duty-free lunch period of not less than 30 minutes. Passed Senate 28-0 and Assembly 53-3. Chapter 430.

SB 1854 (Miller). Amended teachers' retirement law to allow school districts to levy and collect a district tax for the purpose of paying one-half of member's contributions to the Retirement Annuity Fund, and the whole of member's contribution to the Permanent Fund. Died in Senate committee.

SB 1980 (Dilworth). Provides that teachers shall be entitled to a duty-free lunch period as prescribed by regulations of the State Board of Education. Passed both Senate and Assembly. Chapter 1415.

Bad Bills

AB 3172 (Sherwin). Would have raised \$4 application fee for teaching credential to approximately \$10, according to State Department of Education, by requiring the Department to set fees adequate to make the credentials division self-supporting. Died in Assembly committee.

UNEMPLOYMENT INSURANCE

The failure of the 1953 legislature even to consider long overdue liberalization of the unemployment insurance law was completely overshadowed by the well-planned drive of a vicious combine of powerful employers to emasculate and, in effect, destroy the law by indirection.

The determination of this group to press its program of destruction within a favorable atmosphere of hysteria created by the investigation and discovery of fraudulent payments upwards to \$20 million annually, made it impossible for the Federation to secure passage of any part of its liberalization program. Instead, some 24 Federation-sponsored bills were dropped without hearing, and all efforts were turned successfully toward defeating the hostile employer proposals.

The broadside against unemployment insurance came in the form of a package proposal, **AB 2623**, incorporating many of the provisions of the numerous bad bills introduced earlier in the session. Under the guise of increasing benefits from \$25 to \$30 per week, this bill would have disqualified, according to Department of Employment figures, approximately 150,000, (mostly seasonal and casual workers), or 36 per cent of some 415,000 estimated claimants for the calendar year 1953, with an overall reduction in benefits of \$12.5 million. With the support of the reactionary forces led by Assemblyman Levering, the bill, in spite of all its glaring inequities, was sent to the Assembly floor for passage by the Committee on Finance and Insurance. Defeat of the measure came when the Federation succeeded in having the bill re-referred to committee by an overwhelming vote.

Although the major employer drive in **AB 2623** was defeated, several other major bills of lesser importance by contrast received favorable consideration. Among these was **AB 1825**, which contains a provision in the rejected **AB 2623** disqualifying individuals who leave their employment for marital reasons until they obtain new employment. The Governor vetoed a similar bill at the 1951 session, but signed **AB 1825** into law this session over the Federation's request for a veto.

The Governor, however, granted the request of the Federation and pocket-vetoed two other bad bills, **AB 675** and **AB 2675**, both containing provisions which would have applied a three-year statute of limitations on prosecution of employers who fail without good cause to file unemployment insurance tax returns.

A fourth bad bill passed by the legislature was **SB 1873**, denying unemployment benefits to persons receiving dismissal or severance pay. Recognizing that signing this bill into law would upset contractual relationships and cause the renegotiation of such contract provisions, the Governor also pocket-vetoed this bill.

With the exception of **AB 1825**, only a few other bad bills of minor importance extending exemptions from coverage to several small groups, were signed into law. While no good measures of any significance were enacted, holding the line against the vicious employer attacks to the extent indicated above was a major victory, even though a defensive one.

(The Unemployment Insurance Act, heretofore a separate statute, was codified by the legislature at the recent session. All law section references below, therefore, are either to the new Code or the old Act.)

Bills marked * were sponsored by the Federation

Good Bills

***AB 213** (Nielsen). Added Section 57.8 to freeze the base period of persons who have suffered industrial accidents. Died in Assembly committee. Senate companion ***SB 609** (Miller) died in Senate committee.

***AB 258** (Dunn). Amended Sections 11 and 44.2 to remove present \$3,000 wage limitation on employer contributions to Unemployment Insurance Fund and to increase from \$3,000 to \$3,600 the amount of taxable wages for disability insurance. Died in Assembly committee. Senate companion ***SB 616** (Miller) died in Senate committee.

***AB 259** (Dunn). Amended Section 54 to increase maximum weekly benefit from \$25 to \$40. Died in Assembly committee. Senate companion ***SB 613** (Miller) died in Senate committee.

***AB 260** (Dunn). Added Section 7.01 to extend coverage to domestic workers in private homes working 24 days or more in any calendar quarter for which wages of \$50 or more are paid. Died in Assembly committee.

***AB 261** (Dunn). Amended Section 7 to extend full coverage to domestic workers. Died in Assembly committee.

***AB 262** (Dunn). Amended Section 7 to extend full coverage to agricultural workers. Died in Assembly committee.

***AB 263 (Dunn).** Amended Section 57 to repeal seven-day waiting period. Died in Assembly committee.

***AB 264 (Dunn).** Amended Section 57 to require payment of benefits for first seven days of unemployment, if unemployment lasts more than seven days. Died in Assembly committee. Senate companion ***SB 610 (Miller)** died in Senate committee.

***AB 265 (Dunn).** Repealed Section 2 which makes continuation of unemployment insurance program dependent upon federal law. Died in Assembly committee.

***AB 266 (Dunn).** Repealed Section 7.3 and 7.7 specifically defining agricultural labor. Died in Assembly committee.

***AB 347 (Berry).** Amended Section 7 to extend full coverage to government employees. Died in Assembly committee.

***AB 348 (Berry).** Skeleton bill which amended Section 9.2 to liberalize meaning of unemployment for purpose of determining benefit rights. Died in Assembly committee.

***AB 349 (Berry).** Amended Section 13 to restrict meaning of "suitable employment" to covered employment for purpose of preventing the disqualification of a person who refuses to accept employment in a non-covered industry or occupation. Died in Assembly committee.

***AB 350 (Berry).** Amended Sections 1 and 57 to eliminate policy declaration and substantive provision requiring applicants to actively seek work in their own behalf. Died in Assembly committee. Senate companion ***SB 617 (Miller)** died in Senate committee.

***AB 351 (Berry).** Skeleton bill amending and repealing several sections to improve the administration of unemployment insurance. Died in Assembly committee.

***AB 352 (Berry).** Skeleton bill repealing Section 90 relating to administrative rules and regulations. Died in Assembly committee.

***AB 377 (Collins).** Repealed several sections to eliminate merit rating. Died in Assembly committee.

***AB 378 (Collins).** Amended Section 7 to extend coverage to employees of non-profit organizations. Died in Assembly committee.

***AB 379 (Collins).** Added Section 38.1 to require all employers, notwithstanding merit rating provisions, to pay a uniform tax of three per cent on all wages. Died in Assembly committee.

***AB 1045 (Brown).** Amended Section 55 to increase from \$3 to \$6 the amount a claimant may earn without reduction of his weekly benefit payment. Died in Assembly committee. Senate companion ***SB 611 (Miller)** died in Senate committee.

AB 1056 (Maloney). Amended Section 7 to extend coverage to domestics earning \$500 or more in any calendar quarter. Died in Assembly committee.

AB 1506 (Ernest R. Geddes). Amended Section 7 and added Section 7.4 to extend coverage to agricultural workers covered by federal old age insurance program. Died in Assembly committee.

***AB 1677 (Brown).** Added Section 54.1 to provide dependency benefits of \$5 for dependent spouse and \$2.50 for each of first two dependent children. Died in Assembly committee. Senate companion ***SB 612 (Miller)** died in Senate committee.

***AB 1678 (Brown).** Repealed Section 52.6 to eliminate prohibition against using "lag quarter" earnings in the base period in order to qualify for benefits. Died in Assembly committee. Senate companion ***SB 615 (Miller)** died in Senate committee.

***AB 1679 (Brown).** Amended Section 53 to repeal 75 per cent rule which disqualifies some seasonal workers. Died in Assembly committee. Senate companion ***SB 614 (Miller)** died in Senate committee.

***AB 1680 (Brown).** Repealed Section 39.1 to delete employer additional notice provision. Died in Assembly committee.

AB 2048 (Henderson). Amended Section 7 to extend coverage to employees of nonprofit religious, charitable, scientific, literary and educational organizations and institutions; excepted priests, clergymen etc. Died in Assembly committee.

AB 2860 (Cooke). Amends Section 1403 of Unemployment Insurance Code (Section 57.7 of the Act) to extend to Korean veterans the same benefits existing as to other veterans under the unemployment insurance law. Chapter 1883.

SB 1476 (Donnelly). Originally a bad reorganization bill, among other things giving the Director of Employment power to appoint members of the Appeals Board.

Amended several times into a good bill, retaining independent status of Appeals Board, and among other things, providing for a tripartite Employment Stabilization Commission. Died in Senate committee.

SB 1815 (Hulse). As passed by the Senate, was a bad bill exempting from coverage registered unloaders in market places. As amended in Assembly and enacted, was a good bill: retained coverage of market unloaders, shifting employer responsibility with regard to filing tax returns to the produce dealer. Pocket-vetoed.

Bad Bills

AB 284 (Marris). Added Section 39.2 (1028.5 of proposed code) to allow employers to make voluntary contributions to Unemployment Fund in addition to required contributions in order to lower their contribution rate under merit rating provisions. Died in Assembly committee.

AB 614 (Belotti). Originally amended Section 7.7 (Sections 626 and 628 of proposed code) to exempt employees on mink, chinchilla and fox farms from coverage. As amended and enacted, merely exempts employees on mink farms. Chapter 728.

AB 675 (Morris). As passed by Assembly, was unobjectionable: amended several sections of Unemployment In-

insurance Act and Code to vest in referees of the Department of Employment authority to hear and decide in the first instance, tax cases the same as benefit cases.

As amended in Senate and Assembly, also contained a bad provision applying a three-year statute of limitations to employers who fail without good cause to file a return. Pocket-vetoed by Governor upon request of Federation.

AB 676 (Morris). As amended, amended Section 391 (1030 of proposed code) to establish the presumption that an employee has left his employment without good cause if the termination was voluntary, and insufficient additional facts are established by the department to show the reasons for leaving. Died in Assembly committee.

AB 677 (Morris). Amended Section 58 to deny benefits to any person voluntarily leaving his employment for good cause attributable to circumstances outside of his employment. Died in Assembly committee.

AB 867 (Levering). Amended Section 20.4 (3007.1 of proposed code) to transfer unemployment disability funds in the Unemployment Trust Fund to the Unemployment Fund for purpose of lowering employer contributions. Died in Assembly committee.

AB 980 (Morris). Amended Section 67 (1327 of proposed code) to require Department of Employment to notify each base period employer, as well as the last employer, when a claimant files a new or additional claim. Died in Assembly committee.

AB 1504 (Ernest R. Geddes). Amended Section 57.6 (1256 of proposed code) to deny unemployment benefits while receiving dismissal pay, including but not limited to severance pay, vacation pay in lieu of notice pay, and bonuses. Denied favorable recommendation in Assembly committee. Following this defeat, the substance of the measure was amended into **SB 1873 (Tenney)** which was enacted into law (see below).

AB 1507 (Ernest R. Geddes). Amended Sections 53 and 54 to (1) change present \$300 base-period wage qualification to \$225 in each of at least two calendar quarters of the base year, (2) repeal present 75 per cent rule, and (3) increase minimum and maximum benefits from \$10 and \$25 respectively to \$12 and \$28 respectively. Died in Assembly committee.

AB 1508 (Ernest R. Geddes). Added Section 52.7 and amended Sections 53 and 54 to (1) deny benefits in any calendar quarter unless the claimant has earned as much as \$112 in one of the two corresponding calendar quarters in the eight completed quarters immediately preceding the claimant's benefit year, (2) increase present \$300 base-period qualifying wage to \$450, (3) repeal present 75 per cent rule and substitute therefor a rule disqualifying anyone who has earned more than 66⅔ per cent of his base-period wages during a single calendar quarter, and (4) increase maximum weekly benefits from \$25 to \$30. Died in Assembly committee.

AB 1787 (Levering). Added Section 59 to deny benefits to seasonal worker during any calendar quarter of his benefit year unless he received, in the corresponding quarter of his base period, wages equal to seven and one-half times his weekly benefit amount; established presumption of seasonality. Died in Assembly committee.

AB 1825 (Levering). As amended, adds Section 1309 to Unemployment Insurance Code (Section 58.1 to the Act) to disqualify for the duration of their ensuing period of unemployment and until they have obtained new employment, individuals leaving their employment for marital or domestic reasons; inapplicable to persons who are the sole or major support of their families. Passed Assembly by vote of 43-22 and Senate 26-7. Chapter 1830. Pocket-veto request of Federation denied by Governor.

Using 1953 as a base, Department of Employment figures show that enactment of this measure will affect about 12,500 out of 415,500 actual claimants and reduce the benefits of about 3,500: an overall reduction in benefits of about \$200,000.

AB 2309 (Morris). Amended Section 57 adding to the requirement that a person seek work on his own behalf in order to be eligible for any week's benefits, a provision requiring that evidence of such effort be submitted each week by affidavit which gives specified information of each attempt to secure work. Died in Assembly committee.

AB 2388 (Smith). Originally exempted from coverage cemetery salesmen working on a commission basis. As enacted, also exempts business opportunity, mineral, and oil and gas commission salesmen from coverage. Chapter 1066.

AB 2623 (Ernest R. Geddes). As introduced and as amended several times in committee, contained many of the bad provisions introduced separately in bills reported above: established a new employer contribution schedule effective in January, 1954, ranging from three per cent to five-tenths per cent, while repealing provisions for the present alternate schedule ranging from two and seven-tenths per cent to zero per cent; denied benefits to any person leaving employment for good cause not directly attributable to his employment; increased the present \$300 base-period wage qualification to \$425 in each of at least two calendar quarters of the individual's base year, while repealing the present 75 per cent rule; denied benefits in any calendar quarter of an individual's base year unless in at least one of the two corresponding calendar quarters within the eight quarters preceding his benefit year such individual earned \$200 or more; disqualified for seven weeks and until subsequently having earned \$150, any person leaving employment for marital reasons; and disqualified for seven weeks, instead of four weeks, persons discharged for misconduct, and persons wilfully making false statements or refusing suitable employment. Also increased minimum and maximum weekly benefits from \$10 and \$25 respectively to \$12 and \$30 respectively, in such a manner as to substantially reduce the benefits of anyone currently receiving \$24 or less per week in benefits.

As finally sent to the floor of the Assembly with favorable recommendation and as re-referred to committee by a vote of 60-9, the provisions relating to changes in employer contributions and merit rating were completely deleted, and the provision relating to the disqualification of persons leaving employment for marital reasons were further strengthened. As such, the measure died in Assembly committee.

According to the Department of Employment, passage of this bill would have disqualified from benefits some 150,000, or 36 per cent of an estimated 415,500 claimants establishing benefit rights for 1953, with an overall reduction in benefits of \$12.5 million.

AB 2670 (Levering). Added Section 58.1 to deny benefits to a worker suspended for alleged misconduct while suspended. Died in Assembly committee.

AB 2671 (Levering). Amended Section 58 to abolish the power of the Department to pass judgment on eligibility of workers discharged for alleged misconduct. Died in Assembly committee.

AB 2672 (Levering). Amended Section 58 to abolish the power of the Department to pass judgment on whether an employee left work voluntarily without good cause, and to deny benefits to any person leaving employment for good cause not directly connected with his employment. Died in Assembly committee.

AB 2673 (Levering). Added Section 57.6 to deny benefits during any week which an employee receives payment from a pension plan, fund or annuity paid in whole or part by the base period employer. Died in Assembly committee.

AB 2674 (Levering). Amended Section 58 to reduce the maximum benefits otherwise payable to a disqualified individual by an amount equal to the weekly benefit multiplied by the total weeks of disqualification. Died in Assembly committee.

AB 2675 (Levering). As passed by Senate and Assembly, amended Section 1132 of Unemployment Insurance Code (45.5 of Act) to place a 3-year statute of limitations on the failure of employers to file tax returns. Pocket-vetoed by Governor as requested by the Federation.

AB 2676 (Levering). Amended Section 13 to provide that the Department shall not be restricted to considerations enumerated in the law when determining whether a person is fitted for suitable employment. Died in Assembly committee.

AB 3102 (Ernest R. Geddes). Added Section 58.5 to make ineligible for benefits until he has earned \$100 in subsequent employment, any individual declared ineligible or disqualified under designated provisions of the law. Died in Assembly committee.

AB 3103 (Ernest R. Geddes). Amended Section 57 to require a seven-day waiting period for every subsequent claim filed during a benefit year. Died in Assembly committee.

AB 3105 (Ernest R. Geddes). Amended Section 6 to require the Department to study the claims of seasonal

workers and to allow the establishment of a benefit year only for period during which the seasonal worker is usually employed. Died in Assembly committee.

AB 3106 (Ernest R. Geddes). Amended Section 57 to increase waiting period from one week to three weeks, but declaring such weeks need not be consecutive. Died in Assembly committee.

AB 3486 (Weinberger). As passed by Assembly and Senate, authorized the transfer of the balance in excess of \$500,000 in the Department of Employment Contingent Fund to the General Fund; authorized the sale of certain parcels of real estate which have been purchased with money appropriated by the legislature from that fund and the deposit of the proceeds of such sale in the General Fund. Vetoed by the Governor.

SB 143 (Desmond). As passed by Senate, amended Section 79 (added Section 407.5 to Code) to require Appeals Board to hear tax appeal cases itself or delegate such hearing to the Division of Administrative Procedure; also authorized Appeals Board to delegate benefit cases to the Division. Died in Assembly committee.

SB 1538 (Desmond). As enacted, amends Section 649 of Code (7.2 of Act) to exempt from coverage newspaper and magazine salesmen, including minors under 18 whose attendance in school is incidental, compensated on the basis of retaining amount of sales receipts over cost of newspapers and magazines regardless of whether or not a minimum wage is guaranteed. Chapter 528.

SB 1622 (Abshire). As amended and passed by Senate, removed hay bailing operations from coverage. Refused passage in Assembly by vote of 32-34. Reconsidered by vote of 41-25, and again refused passage by vote of 35-30. Died in Assembly.

SB 1623 (Abshire). As passed by Senate, amended Section 45.5 (1132 and 1136 of Code) to exempt hay bailing, vining peas and hulling nuts from coverage whether or not such functions are performed on person's own land or not. Died in Assembly.

SB 1873 (Tenney). As introduced, denied benefits to any person voluntarily leaving employment for good cause attributable to circumstance outside of his employment.

As amended, following the defeat of AB 1504 in Assembly committee (see above), denied unemployment benefits to any person while receiving dismissal, severance or in lieu of notice pay. Passed Senate and Assembly. Pocket-vetoed by Governor.

SCR 48 (Hulse). Requests Department of Employment to reverse its interpretation of agricultural labor as excluding "hay bailing" for purpose of exempting such labor from coverage and preventing collection of taxes from delinquent employers. Resolutions, Chapter 88.

UNEMPLOYMENT DISABILITY INSURANCE

Unemployment disability insurance was the only area in which the Federation was able to override the tide of reaction and obtain increased benefits.

In an unexpected move, all bills before the Assembly Committee on Finance and Insurance pertaining to unemployment disability insurance, including eighteen sponsored by the Federation, were referred to a subcommittee for possible compromise. Although this method of handling bills precluded full hearing by the main committee on many bills, it nevertheless resulted in the passage of AB 3093 which contained several provisions of the AFL program.

Increases in weekly benefits from \$30 to \$35 and in daily hospital benefits from \$8 to \$10, as provided for in the measure, will probably result in the payment of additional benefits of some \$5 million without increasing present tax rates. Unfortunately, however, AB 3093 also contains a provision suspending for two years the "adverse risk" clause in the law which prohibits private carriers from selecting only preferred risks and leaving the adverse risks for the state plan. This provision requires careful watching and symbolizes the amount of additional legislative work that needs to be done in this field.

The new benefit provisions of AB 3093 still assure the state fund of an annual surplus of revenue over expenditures, which leaves considerable room for liberalization of the disability program in accordance with Federation proposals tabled at this session by the Assembly subcommittee in favor of its compromise measure.

(Since the Unemployment Insurance Act, which includes the Unemployment Disability law, was codified by the 1953 legislature, all law section references, unless otherwise indicated, are either to the new Unemployment Insurance Code or the old Unemployment Insurance Act.)

Bills marked * were sponsored by the Federation

Good Bills

*AB 113 (Beck). Amended Section 203 to increase maximum weekly benefits from \$30 to \$40. Died in Assembly committee. Companion *SB 512 (Harold T. Johnson) died in Senate committee. An increase to \$35, however, is included in AB 3093, below.

*AB 114 (Beck). Amended Section 205 to abolish seven-day waiting period. Died in Assembly committee.

*AB 115 (Beck). Amended Section 205b to abolish waiting period in the case of a disability due to accidental illness or injury. Died in Assembly committee. Companion *SB 513 (Harold T. Johnson) died in Senate committee.

*AB 116 (Beck). Amended Section 205b to reduce waiting period from seven to three days. Died in Assembly committee. Companion *SB 514 (Harold T. Johnson) died in Senate committee.

*AB 117 (Beck). Skeleton bill amending Section 251 regarding computation of disability amounts and determination of eligibility. Died in Assembly committee.

*AB 118 (Beck). Amended Section 403 to remove the prohibition against use of funds requisitioned from the Unemployment Trust Fund after July 1, 1957, for purpose of administering the unemployment disability program. Died in Assembly committee.

AB 204 (McCollister). Added Section 203.1 to provide dependency benefits of \$2.50 per week for each dependent. Died in Assembly committee.

*AB 247 (Henderson). Amended Section 451 to repeal employer consent requirement with regard to voluntary plans. Died in Assembly committee. Companion *SB 518 (Harold T. Johnson) died in Senate committee.

*AB 340 (Berry). Amended Sections 209 and 209.1 to increase hospital benefits from \$8 to \$10 per day. Died in Assembly committee. Companion *SB 517 (Harold T. Johnson) died in Senate committee. The increase, however, was amended into AB 3093, below.

*AB 346 (Berry). Amended Sections 150 and 152 to provide that the purpose of disability provisions is to compensate for general loss, rather than wage loss, sustained by an individual unemployed because of sickness or injury; made same change in definition of unemployment disability benefits. Died in Assembly committee. Companion *SB 510 (Harold T. Johnson) died in Senate committee.

*AB 353 (Berry). Added Section 211 to provide that upon death of a disabled individual receiving disability benefits at the time of death, his surviving spouse or dependent children under 18 shall receive an amount equal to 12 times the deceased's weekly benefit amount. Died in Assembly committee.

*AB 979 (Munnell). Amended Section 207 to repeal provisions rendering an individual ineligible for benefits for period of unemployment due to disability which is compensable under state or federal workmen's compensation or employer's liability law. Died in Assembly committee. Companion *SB 516 (Harold T. Johnson) died in Senate committee.

*AB 1027 (Lincoln). Amended Section 460 to increase the maximum assessment for payment of administrative work arising out of voluntary plans from .02 per cent of wages paid in employment by employers participating in voluntary plans to .04 per cent of such wages. Died in Assembly committee.

***AB 1028 (Lincoln).** Amended Section 309 to increase from .03 per cent of wages exempt from worker contributions because of voluntary plan, to .05 per cent of such wages, the maximum assessment which may be levied against an employer with employees covered by a voluntary plan. Died in Assembly committee.

***AB 1029 (Lincoln).** Repealed Section 309 which creates the extended liability account in the Disability Fund. Died in Assembly committee.

***AB 1036 (Brown).** Amended Section 44.2 to delete the prohibition against payment of interest on refunds of excess employee contributions. Died in Assembly committee.

***AB 1037 (Brown).** Amended Section 205 to establish a straight base-period wage requirement of \$300 to be eligible for disability benefits. Died in Assembly committee. Companion ***SB 515 (Harold T. Johnson)**, died in Senate committee.

***AB 1477 (Donahoe).** Amended Section 201 to repeal pregnancy disqualification. Died in Assembly committee.

AB 1781 (Donahoe). Amended Section 201 to allow benefits for injury or illness arising in connection with pregnancy up to a maximum of 10 compensable weeks. Died in Assembly committee.

AB 1936 (Ernest R. Geddes). Codification bill. Also provides for a method of amending voluntary plans in order to adjust them for changes in the weekly benefit amount brought about by the enactment of **AB 3093**, below. Chapter 1294.

AB 2417 (Hawkins). Amends Sections 2708 and 2710 of Unemployment Insurance Code (Sections 250.1 and 252 of Act) to permit authorized county hospital officials to certify disability of eligible applicant confined in such hospital or confined in another hospital by the county hospital. Chapter 1272.

AB 2591 (Collins). Amended Section 209 to increase hospital benefit from \$8 for 12 days to \$12 for 31 days. Died in Assembly committee.

***AB 2625 (Ernest R. Geddes).** Amended Section 201 to provide benefits for injury or illness arising in connection with pregnancy up to a maximum of 42 days. Died in Assembly committee. Companion ***SB 511 (Harold T. Johnson)** died in Senate committee.

AB 3093 (Ernest R. Geddes). As introduced, made a number of changes in the Unemployment Insurance Act to make the unemployment disability section a unit in itself.

As amended and enacted, became a compromise bill between the insurance carriers and a subcommittee on disability insurance appointed by the Assembly Committee on Finance and Insurance: continues and expands provisions of the original bill making the disability law a unit in itself; in-

creases maximum weekly benefits from \$30 to \$35 and hospital benefits from \$8 to \$10 per day; and provides up to 26 weeks of benefits *per disability*, instead of 26 weeks per year. Also contains a provision, never accepted by the Federation, suspending for two years the "adverse risk" provision in the law which requires private carriers to insure a certain percentage of poor risks as a condition to writing voluntary plans. Chapter 1371.

SB 1771 (Burns). As introduced, increased hospital benefits from \$8 for 12 days to \$15 for 15 days.

As amended and enacted, increased hospital benefits to \$10 for 12 days as presently provided for by law. Pocket-vetoed by Governor in favor of **AB 3093** which contains a similar provision.

Bad Bills

AB 1950 (Morris). Exempted voluntary plans from requirement of containing standard provisions provided in the Insurance Code. Died in Assembly committee.

AB 2627 (Ernest R. Geddes). Originally provided for the balancing of charges and credits to the extended liability account in the Disability Fund by crediting full premium tax payment made to the state generally. As amended, also deleted provision prohibiting the approval of voluntary plans which result in a substantial selection of risks adverse to the Disability Fund. Died in Assembly committee. Latter provision, however, was written in **AB 3093**, above.

AB 2681 (Levering). Provided, among other adverse provisions, that private plans underwritten by self-insurers should be approved by the Employment Stabilization Commission rather than the Insurance Commissioner. Died in Assembly committee.

AB 2686 (Lantermann). Removed requirement of employee approval of voluntary plan which does not require employee contributions. Died in Assembly committee.

AB 2957 (McCollister). Denied unemployment disability benefits to any individual who receives a cash payment under workmen's compensation as result of a settlement of compromise; allowed payment of difference if cash settlement or compromise should be less than disability benefit. Died in Assembly committee.

SB 948 (Desmond). Weakened requirement regarding coverage of voluntary plans and repealed existing condition for approval that voluntary plan will not result in a substantial selection of risks adverse to the Disability Fund. Died in Senate committee. The adverse risk provision, however, was amended into **AB 3093**, above.

SB 950 (Desmond). Added to conditions for approval of voluntary plan the requirement that a plan may contain a provision for amending it only if the employees covered have an individual right to withdraw from the plan before the effective date of the amendment. Died in Senate committee.

SB 1096 (Desmond). Required California Employment Stabilization Commission to pay into the General Fund

a sum on contributions received in the Disability Insurance Fund equal to taxes imposed on private insurers. Died in Senate committee.

SB 1330 (Byrne). Allowed voluntary plans to fix maximum benefits available to a worker covered by two or more plans at a figure not greater than the maximum under the most liberal plan. Died in Senate committee.

SB 1331 (Byrne). As amended, restricted simultaneous coverage to when an individual is concurrently employed by more than one employer and coverage is in effect by more than one plan; allowed voluntary plans to prorate benefits in cases of simultaneous coverage; and declared a recurring disability from same cause after 14 days of employment a new period of disability. Died in Senate committee.

VETERANS

Good Bills

AB 25 (Rumford). Continues driver's license of persons in the armed services. Chapter 580.

AB 38 (Niehouse). Extends termination date of World War II, for purpose of the veterans' property tax exemption, from May 16, 1946, to January 1, 1947. Chapter 470.

AB 64 (Allen). As enacted, provides exemption from property tax for homes, up to \$5,000 in value, of certain disabled California veterans who have received federal assistance in acquiring such homes with special facilities required by serious nature of disability. Requires adoption of **ACA 2** at next election. Chapter 1219.

AB 2969 (Bradley). As enacted, extends veterans' farm and home loan benefits as well as

educational benefits to Korean veterans. See also **SB 702** (below). Chapter 1334.

AB 3432 (Meyers). Increased maximum mortgage amount for purchase of a home under veterans' home loan program from present \$8,500 to \$10,000; also increased maximum value of a home or farm which may be mortgaged. Died in Assembly committee.

ACA 2 (Allen). Authorizes exemption of disabled veterans' homes from property tax as provided in **AB 64** above. Resolutions, Chapter 162.

SB 702 (Dilworth). Extends state veterans' educational benefits to veterans of Korean War. Limits educational benefits to veterans with 90 days of active service except in cases of veterans discharged for service-connected disability; prohibits receipt of state benefits while drawing federal educational benefits. Chapter 354.

SB 784 (Dilworth). As enacted, increases from \$11,500 to \$12,000 in the case of a home, and from \$16,500 to \$18,500 in the case of a farm, the maximum cash value of a home or a farm, after completion of construction, which the state will mortgage; does not increase maximum mortgage amounts. Chapter 355.

SB 903 (Dilworth). Provided for the issuance of \$300 million in bonds to aid veterans to purchase homes and farms under veterans' farm and home loan law. Required adoption of **SCA 29**. Died in Senate committee.

SCA 29 (Dilworth). Authorized \$300 million veterans' bond issue provided for in **SB 903** above. Died in Senate committee.

SJR 9 (Sutton). Requests Congress to expand and improve the Veterans Administration hospital program to meet the needs of California's expanding veteran population. Resolutions, Chapter 36.

WATER AND POWER

The undisguised movement on the national level to "steal" the nation's natural resources was reflected at the recent legislative session in the efforts of the corporate farm and the private power interests to prohibit the operation in California of federal reclamation law acreage restrictions on the use of publicly developed water and power.

The major effort in this direction was an attempt to amend such restrictions into an administration reorganization proposal, **AB 863**, which brought the various state water agencies together under a Department of Water Resources. The bill was allowed to die in the Assembly after the Governor announced his disapproval and intention to veto the bill.

The Federation has always favored the develop-

ment of the central valley of California by integrated multiple-purpose flood control, power and irrigation projects under the U.S. Bureau of Reclamation, in accordance with federal reclamation laws, including the 160-acre limitation, and therefore opposed bills that would destroy the benefits of reclamation law.

Several resolutions relative to the acquisition or operation of the Central Valley Project by the

state were also considered in light of Federation policy. Although the Federation has not gone on record either in favor or in opposition to state acquisition, it opposes such a move if it would result in negating federal reclamation law. One resolution adopted with this end in view is classified as "bad," while others not clear in this respect are classified in a separate category along with several other important measures falling outside of declared Federation policy.

Good Bills

SB 75 (Abshire). As enacted, appropriates \$250,000 to Water Project Authority for study of feasibility and economic value of construction of salt water barrier or barriers in San Francisco Bay and adjoining waters. Chapter 1104.

SB 1462 (Kraft). As amended, appropriated \$425,000 from Postwar Unemployment and Construction Fund for continuation of investigational work and study to determine feasibility of using impervious subsurface barriers for prevention and control of damage to state underground waters by sea water intrusion. Died in Senate committee.

SB 1938 (Powers). Encouraged rural electrification by non-profit, cooperative corporations. Died in Senate committee.

SCR 36 (Regan). Requested the Water Project Authority to report to the legislature within a specific number of days as to the sufficiency and compatibility with state interests of HR 1716, which proposes that the state operate the CVP as an agent of federal government in accordance with federal reclamation laws, including 160-acre limitation. Died in Senate committee.

SJR 1 (Regan). Urged Congress and President to undertake rapid construction of Trinity River Project as part of the Central Valley Project. Died in Assembly committee.

SJR 2 (Thompson). Urged Congress to appropriate funds to Bureau of Reclamation for construction of regulatory works to control the flow of water released from Shasta and Keswick Dams so as to prevent rapid fluctuation of Sacramento River and damage to levees and lands. Died in Assembly committee.

SJR 14 (Hatfield). Urges Congress to appropriate funds to construct channel improvement works along the San Joaquin River, the levees from the mouth of the Merced River downstream to Puerto Creek, and the revetment of river banks and levees at critical locations near the head of the Sacramento-San Joaquin Delta area. Resolutions, Chapter 63.

SJR 22 (Byrne). Urges Congress to appropriate funds to complete construction of necessary flood

control works on the Butte and Little Chico Creeks. Resolutions, Chapter 86.

Bad Bills

AB 863 (Cloyed). As introduced, was an unobjectionable administration reorganization bill providing for the consolidation of scattered state water bureaus, boards, commissions etc., into a single state department of water resources.

As passed by both the Senate and Assembly, the bill was amended several times and contained provisions greatly curtailing the Attorney-General's powers in water matters and prohibiting California districts from negotiating service contracts containing acreage limitations with the federal Bureau of Reclamation for CVP water. The bill died in the Assembly pending concurrence in Senate amendments after the Governor announced that he would veto the measure. Senate companion SB 1657 died in Assembly committee.

SB 583 (Williams). As amended and passed by Senate, required Districts Security Commission's approval before any district, except metropolitan districts, formed under state law could enter into federal reclamation contracts; established detailed conditions for approval which would have precluded negotiation of such contracts. Also provided for regulation and supervision of districts entering into contracts. Died in Assembly committee.

SB 584 (Williams). As amended and passed by Senate, rewrote Irrigation District Federal Cooperation Law prohibiting negotiation of contracts requiring acreage limitations; excepted metropolitan water districts from provisions of bill. Died in Assembly committee. Equivalent provisions were amended into AB 863, above.

SB 1752 (Brown). Rural Power District Act: as amended, contained a provision which required such districts to let to the lowest bidder all contracts for furnishing labor, materials, or supplies without reference to prevailing wage provisions in state contract act. Died in Senate committee.

SCR 24 (Williams). Requests State Engineer and Water Project Authority to make studies of the feasibility of acquiring the CVP and repaying reimbursable costs in installments over a period of years, without interest, and without federal controls and restrictions as to use of water. Resolutions, Chapter 71.

SCR 80 (Hatfield). Attempts to undermine the Attorney General as appellant in the Ivanhoe Irrigation District case, which declared 160-acre limitation contracts illegal, by requesting Water Project Authority and State Engineer to appear as respondents in the case. Resolutions, Chapter 196.

SJR 35 (Hatfield). Requests Secretary of Interior to renegotiate existing water contracts for

CVP water in order to delete so-called objectionable and illegal features (such as 160-acre limitation). Resolutions, Chapter 159.

Other Bills

ACR 49 (Hansen). As amended in conference committee, requests Water Project Authority to make a complete management survey in connection with proposed acquisition or operation of the CVP by the state and to report to the Joint Committee on Water Problems. Resolutions, Chapter 118.

AJR 39 (Patterson). Urges Congress, relative to authorization and construction of CVP, to make loans available directly to water districts for the construction of distribution systems by them, instead of Bureau of Reclamation, to be repaid without interest in 50 annual installments. Resolutions, Chapter 236.

SB 97 (Williams). As amended and enacted, permits community service districts to cooperate and contract under federal reclamation laws to the extent that such contracts as consistent with state law; provides for their validation by superior court of county. Chapter 348.

SCA 30 (Dilworth). Provides that any government agency, including the federal government, shall be bound by California water laws when interest in any real property in the state is acquired. Aimed at preventing such controversies as the celebrated "Fallbrook water controversy". Resolutions, Chapter 191.

SCR 29 (Dilworth). Requests State Engineer and Division of Water Resources to extend engineering and legal assistance to defendants in the so-called "Fallbrook water controversy." Resolutions, Chapter 34.

WORKMEN'S COMPENSATION

The record on workman's compensation, as in the case of unemployment insurance, was most unsatisfactory. Virtually nothing was accomplished in this area. Of some 50 Federation-sponsored bills, only three minor ones were enacted into law, with the heart of the AFL program being killed by the reactionary-dominated committees on Finance and Insurance on the Assembly side and Labor on the Senate side.

Only by an eleventh-hour parliamentary maneuver was the Federation able to win consideration of a major bill on the floor of either house. This occurred in the Senate, when a minor Federation-sponsored measure, **AB 240**, was amended to increase temporary disability benefits from \$35 to \$40. Momentary hopes for its passage, however, were quickly dashed when the Senate voted by a narrow margin of 19-14 to re-refer the bill to the hostile Committee on Labor.

On the other hand, also blocked were attempts by a combined employer-insurance lobby to undo by indirection, as in the case of unemployment insurance and measures directly affecting labor, the gains in workmen's compensation won by the Federation over the past ten to fifteen years. The large number of bills listed under "bad" in small print tell the story.

(All law section references below are to the Labor Code, unless otherwise indicated.)

Bills marked * were sponsored by the Federation

Good Bills

***AB 119 (Fleury).** Added Section 5816 to require the Industrial Accident Commission to find a party who ignores his liability to provide benefits under a final award, guilty of contempt and compel such party to furnish benefits. Died in Assembly committee.

***AB 120 (Fleury).** Amended Section 5801 requiring the Industrial Accident Commission to add to an award a reasonable attorney's fee for services rendered worker or deceased worker's dependent before the IAC. Died in Assembly committee. Companion ***SB 463 (Regan)** died in Senate committee.

***AB 121 (Fleury).** Amended Section 5704 regarding hearings before the IAC to narrow existing right of adverse party to produce "evidence" in rebuttal of testimony taken without notice and of reports and other matters added to the record outside hearing, to right to produce rebuttal "testimony." Died in Assembly committee.

***AB 122 (Fleury).** Amended Section 5409 to provide for employer waiver of defense of statute of limitations in workmen's compensation matters if such defense is not raised by answer before the first IAC hearing. Died in Assembly committee.

***AB 123 (Fleury).** Repealed various sections relating to actions against third persons for injuries or deaths

of employees, including employers' subrogation rights. Died in Assembly committee.

***AB 124 (Fleury).** Added Section 122.5 to require IAC to appoint a full time medical director and assistants at annual salaries of not less than \$12,000 and \$8,000 respectively. Died in Assembly committee.

***AB 125 (Fleury).** Added Section 120.5 providing for IAC appointment of a referee to serve as chief executive of the Commission in administering and supervising activities of other referees, reviewing decisions of latter, and recommending removal of particular cases from referees for hearing by the Commission. Died in Assembly committee.

***AB 126 (Fleury).** As introduced, amended Section 6413 to remove prohibition against use as evidence before IAC of industrial injury reports filed by employers or insurers with the Division of Labor Statistics and Research.

As amended and enacted, the bill is confined to admission as evidence of reports required of physicians or surgeons.. Chapter 214.

AB 203 (McCollister). Added Section 4664 to provide dependency benefits of \$2.50 per week for each dependent in cases of both permanent and temporary disability. Died in Assembly committee.

***AB 222 (Maloney).** Skeleton bill amending Section 3706 regarding uninsured employers. Died in Assembly committee.

***AB 223 (Maloney).** Skeleton bill amending Section 3760 regarding employer's report of injury. Died in Assembly committee.

***AB 224 (Maloney).** Amended Section 4554 to provide a 50 per cent penalty for employer's failure to insure, repealing present 10 per cent penalty with a \$1000 limitation on increase in award. Died in Assembly committee.

***AB 225 (Maloney).** Amended Section 4557 to remove present \$3,750 limitation on the amount of additional 50 per cent compensation payable to an illegally employed worker under 16, and to revoke provision in the section making it inapplicable to public and agricultural employment. Died in Assembly committee.

***AB 226 (Maloney).** Amended Section 4650 to require payment of temporary disability benefit from the first day the injured employee leaves work in cases where the injury causes a disability of more than 7 days, instead of 49 days. Died in Assembly committee. Companion ***SB 451 (Regan)** died in Senate committee.

***AB 227 (Maloney).** Amended Section 4650 to provide that if injury causes permanent disability, payment shall be made on the eighth day after the injury, rather than the eighth day after the injury becomes permanent or date of the last payment for temporary disability. Died in Assembly committee. Companion ***SB 452 (Regan)** died in Senate committee.

***AB 228 (Maloney).** Skeleton amendment of Section 4700 regarding responsibility of employer in case of death of an injured employee. Died in Assembly committee.

***AB 229 (Maloney).** Repealed and added a new Section 4702 providing for a flat death benefit of \$15,000 in cases of total dependency and flat death benefit of \$7,500 in cases of partial dependency, increased in both instances by a weekly benefit of \$5 for each dependent child under 18. Died in Assembly committee. Companion ***SB 461 (Regan)** died in Senate committee.

***AB 230 (Maloney).** As introduced and refused favorable recommendation by Assembly Committee on Finance and Insurance, increased minimum weekly benefits for both temporary and permanent disability from present \$9.95 to \$18, and maximum weekly benefits from \$30 in cases of permanent disability and \$35 in cases of temporary disability to \$40 in both cases; repealed the 240-week limitation and revised upward the four-times-annual-earnings limitation on temporary disability payments.

A Federation attempt to re-set the bill for hearing after amending it to re-insert the 240-week limitation on temporary benefits and to repeal the four-times-annual-earnings limitation, was adamantly refused by Committee Chairman Gordon Fleury, contrary to accepted committee practices. Died in Assembly committee. Companion ***SB 448 (Regan)** died in Senate committee.

***AB 238 (Henderson).** Amended Section 5814 to increase from 10 to 50 per cent additional compensation payable on unreasonable delay or refusal to pay benefits; attached 50 per cent penalty if employer should discontinue payments under an award upon serving and filing a petition to terminate and such petition is denied. Died in Assembly committee.

***AB 239 (Henderson).** Amended Section 5800 to require computation of interest due on an award from the date payment is held to have been due under the award, instead of from date payment becomes due and payable. Died in Assembly committee.

***AB 240 (Henderson).** As passed by Assembly, repealed four-times-annual-earnings limitation on total payments allowed for temporary disability.

In the closing days of the session the bill was amended on the Senate floor, upon motion by Senator Burns, to increase temporary disability benefits from present minimum of \$9.95 to \$18 and from present maximum of \$35 to \$40. In the ensuing floor fight over passage, the measure was re-referred to the hostile Committee on Labor, upon motion of Senator Abshire, by a vote of 19-14. An earlier motion by Senator O'Gara to lay on the table the motion by Senator Abshire to re-refer failed by a vote of 11-22. Died in Senate committee.

***AB 241 (Henderson).** Repealed Section 4656 to remove four-times-annual-earnings and 240-week limitations on total payments for temporary disability. Died in Assembly committee.

***AB 242 (Henderson).** Amended Section 4651.1 to convert from a rebuttable to a conclusive one, presumption that on filing of a petition with the IAC for change in award on ground of decrease or termination of disability, latter continues for at least one week following the filing. Died in Assembly committee.

***AB 243 (Henderson).** Repealed Section 4651.1 regarding

the filing of a petition alleging a decrease or termination of disability, and added a new section to prohibit employer or insurer from discontinuing temporary disability payments or medical care without first receiving written permission from the IAC. Died in Assembly committee. Companion ***SB 453 (Regan)** died in Senate committee.

***AB 244 (Henderson)**. Added Section 4650.1 to require $\frac{1}{2}$ per cent per month interest on delayed payment of benefits. Died in Assembly committee.

***AB 245 (Henderson)**. Amended Section 4605 to require that all medical records, x-rays, etc., be made available directly without charge to the consulting or attending physicians of injured employee. Died in Assembly committee. Companion ***SB 450 (Regan)** died in Senate committee.

***AB 246 (Henderson)**. Amended Section 4600 to provide for reimbursing worker for expenses incurred for witness fees and medical testimony in successfully proving a contested claim. Died in Assembly committee. Companion ***SB 449 (Regan)** died in Senate committee.

***AB 248 (Henderson)**. Amended and repealed several sections to allow injured employee free choice of doctor. Died in Assembly committee. Companion ***SB 312 (O'Gara)** died in Senate committee.

***AB 267 (Dunn)**. Amends Section 3208 to require the replacement or repair of eye glasses of an injured employee, removing the condition that the disability of the employee exceed three days. Chapter 297.

***AB 275 (Hahn)**. Amended Sections 4452 and 4702 to increase death benefit in cases of total dependency from \$3,000 to \$5,761.60 as a minimum, and from \$8,750 to \$12,800.32 as a maximum; correspondingly raised death benefit in cases of partial dependency. Died in Assembly committee.

***AB 283 (Henderson)**. Added Section 5815 to increase final award by 50 per cent, in addition to present 10 per cent penalty for unreasonable delay, if such final award is not paid during time allowed for filing a petition for rehearing. Died in Assembly committee.

***AB 373 (Collins)**. Skeleton bill amending Section 3703 regarding self-insurers. Died in Assembly committee.

***AB 374 (Collins)**. Amended Sections 3352 and 4250 to bring all agricultural and related employments within workmen's compensation law, unless employer or employee gives specified notice of rejection; removed exemption of agricultural employment where annual payroll does not exceed \$500. Died in Assembly committee.

***AB 375 (Collins)**. Amended Section 3358.5 to extend coverage to household domestic servants working over 32 hours, instead of 52 hours, per week for one employer. Died in Assembly committee.

***AB 376 (Collins)**. Amended Section 3352 and repealed Section 3358.5 to extend coverage to all domestic workers regardless of number of hours they work. Died in Assembly committee.

***AB 397 (Meyers)**. As introduced, amended Section

4055 to require the IAC to pay the testimony fee of examining physician (I.M.E.) required to testify as to results of examination.

As passed by Assembly, bill was limited to physicians selected by the IAC. Died in Senate committee.

***AB 398 (Meyers)**. Repealed Section 5411 and amended Section 5412 to provide a uniform statute of limitation running from date upon which employee first suffered disability from injury. Died in Assembly committee. Companion ***SB 310 (O'Gara)** Died in Senate committee.

***AB 503 (Masterson)**. Amended Section 4553 to permit unlimited increase in award in case of employer's serious and wilful misconduct; repealed present \$3,500 maximum. Died in Assembly committee.

***AB 504 (Masterson)**. As amended, made employer liable for serious and wilful misconduct of supervisor, and allowed employer to insure against increases in awards for serious and wilful misconduct for amount over \$2,500; repealed restriction on increase in award for such misconduct as in ***AB 503** above. Died in Assembly committee.

***AB 505 (Masterson)**. Amended Section 4553 to make employer liable for serious and wilful misconduct of any person in authority, as well as those specified. Died in Assembly committee.

***AB 616 (Creedon)**. Amended Section 5410.1 to exempt from statute of limitations workers in need of medical care as result of injury. Died in Assembly committee.

***AB 685 (Munnell)**. Amended Section 4903 to confine disability indemnity liens to temporary disability. Died in Assembly committee. Companion ***SB 462 (Regan)** died in Senate committee.

***AB 745 (Shaw)**. Amended Section 4664 to provide a \$5 dependency benefit for first two dependents in cases of temporary disability. Died in Assembly committee. Companion ***SB 459 (Regan)** died in Senate committee.

***AB 746 (Shaw)**. Added Section 4669 to provide rehabilitation benefits, equal to temporary disability benefits, and free rehabilitation training to permanently injured workers unable to return to original work. Died in Assembly committee. Companion ***SB 460 (Regan)** died in Senate committee.

***AB 747 (Shaw)**. Amended Section 4658 to materially increase permanent disability payments where disability is 70 per cent or more. Died in Assembly committee. Companion ***SB 458 (Regan)** died in Senate committee.

AB 949 (Caldecott). Amends Section 6408 to require employer filing of report on death of an injured worker in addition to original injury report. Chapter 729.

***AB 1038 (Brown)**. Amended Section 5405 to extend the statute of limitations on disability and medical care cases from 1 to 3 years. Died in Assembly committee.

***AB 1039 (Brown)**. Amended Sections 5405 and 5406 to extend the statute of limitations on all cases (death, disability, and medical) from one to three years. Died in Assembly committee.

***AB 1040 (Brown)**. Repealed Section 5804 to remove

five-year statute of limitations in IAC's continuing jurisdiction for modifying its awards. Died in Assembly committee.

***AB 1041 (Brown).** Amended Section 5406 to extend the statute of limitations in death cases from one to three years. Died in Assembly committee.

***AB 1042 (Brown).** Amended Section 5410 to extend present five-year statute of limitations in cases where an original injury causes new and further disability by allowing the five years to be computed from date of last benefit as well as date of injury. Died in Assembly committee.

***AB 1043 (Brown).** Amended Section 5803 to remove time limitation on authority of IAC to modify its awards. Died in Assembly committee.

***AB 1044 (Brown).** Amended Section 5804 to extend present five-year statute of limitations on authority of IAC to change an award by allowing the five years to be computed from date of last benefit as well date of injury. Died in Assembly committee.

AB 1143 (Nielsen). Amended Section 3700 to require self-insurers against liability to pay a fee not to exceed \$100, as determined by the Director of Industrial Relations. Died in Senate committee.

AB 1218 (Creedon). Amended Section 5305 to extend jurisdiction of IAC to controversies arising out of injuries suffered outside California by nonresident where employment contract was entered into in the state. Died in Assembly committee.

AB 1223 (Creedon). As passed by Assembly, amended Sections 96 and 4900 to authorize Labor Commissioner to take assignments of awards for workmen's compensation.

As passed by Senate and enacted, allows Labor Commissioner to take assignments of awards for workmen's compensation benefits in which IAC has found that the employer has failed to secure payment of compensation and where the award remains unpaid more than 10 days after having become final. Chapter 555.

AB 1634 (Masterson). Amended Section 4903 to make employer liable for attorney's fees and litigation expenses of employee incurred in successfully proving a contested claim. Died in Assembly committee.

AB 1635 (Masterson). Amended Section 3352 to extend coverage to newspaper vendors or deliverers. Died in Assembly committee.

AB 1637 (Masterson). Amended Section 4600 to provide for reimbursing injured employee or his dependents for expenses incurred for witness fees and medical testimony required in successfully proving a contested claim. Died in Assembly committee.

AB 1655 (Ernest R. Geddes). As introduced, amended Section 3352 and repealed Sections 4250 and 4256 to make coverage compulsory in all agricultural and related employments.

As amended, made coverage compulsory in all agricul-

tural and related employments, except where employer's annual payroll is \$500 or less. Pocket-vetoed by the Governor.

AB 1742 (Henderson). Added Section 4453.5 to require earnings of state employees who are part-time firefighters to be computed on a full time salary basis when injury is suffered while fire fighting. Died in Assembly committee.

AB 2332 (Bradley). Added Section 5314 to require IAC to order immediate payment of benefits to an applicant if it becomes reasonably certain during the hearing that benefits will become payable. Died in Assembly committee.

AB 2402 (McMillan). Added Section 4664 to give IAC continuing jurisdiction to increase payments where current wages for work in which disability was sustained have increased 15 per cent or more. Died in Assembly committee.

SB 1066 (Thompson). As introduced, amended Section 5307 authorizing IAC to adopt an official medical fee schedule.

As enacted, adds Section 5307.1 authorizing IAC, after public hearings and by order signed by four members, to adopt an official minimum medical fee schedule. Chapter 1782.

SB 1238 (Cunningham). Added Section 5407.5 requiring proceedings for reduction of compensation on ground of serious and wilful misconduct of employee to be commenced within 12 months from date of injury. Died in Senate committee.

SB 1555 (Desmond). As introduced, added Section 119.5 to authorize IAC to appoint a medical director and assistants at salaries fixed by the State Personnel Board within a specified range.

As amended in the Senate and enacted, adds Section 122 to authorize the chairman of the IAC to appoint a medical director and assistants who possess physician's and surgeon's licenses at salaries fixed by the State Personnel Board; also adds Section 122.1 authorizing the IAC to make arrangements with licensed physicians and surgeons to make medical examinations and report their findings and recommendations. Chapter 1858.

SB 1803 (Mayo). Amended Section 11740 of Insurance Code to make filing of report of loss experienced by workmen's compensation insurer mandatory instead of permissive; provided for public inspection of report and set forth particulars required in the report. Died in Senate committee.

Bad Bills

AB 550 (Levering). Amended Section 4664 to provide for special findings of fact in proceeding involving causation or aggravation of disease. Died in Assembly committee.

AB 551 (Levering). Amended Section 5313 to require that hearing reports of IAC, its panels, referees or com-

missioners include evidence relied upon and reasons for decision. Died in Assembly committee.

AB 553 (Levering). Amended Section 5100 to prohibit lump sum payments for permanent disability, if objected to, until one year after making such rating. Died in Assembly committee.

AB 1315 (Ernest R. Geddes). Added Section 5005 to provide that filing of release or compromise agreement shall halt all proceedings pending order of IAC approving or disapproving the same. Died in Assembly committee.

AB 1316 (Ernest R. Geddes). Amended and repealed several sections to reduce number of members of IAC from seven to three and to eliminate provisions regarding panels of Commission. Died in Assembly committee.

AB 1317 (Ernest R. Geddes). Amended and added several sections to establish a distinction between occupational and non-occupational diseases; to provide as a condition of compensability for aggravation of a non-occupational disease that the aggravation be caused by unusual exertion, strain or exposure; to limit compensation, in case the aggravation causes permanent disability, to the proportion of liability for occupational disease to the respective periods of employment. Died in Assembly committee.

AB 1318 (Ernest R. Geddes). Amended Section 4453 to limit average weekly earnings to a sum which will not set such earnings higher than actual earnings during the calendar year immediately preceding the injury. Died in Assembly committee.

AB 1319 (Ernest R. Geddes). Repealed and added a new Section 4463 to provide that where disability, either temporary or permanent, results from the combined effects of previous disease and injury, compensation shall be reduced in proportion to the extent to which such previous disease is a contributing cause of the disability. Died in Assembly committee.

AB 1473 (Dolwig). Repealed Sections 118 and 119 to abolish the legal staff of the IAC. Died in Assembly committee.

AB 1496 (Morris). Amended Section 4660 to prohibit taking into account in determining the percentage of permanent disability any subjective symptoms of worker not supported by preponderance of medical testimony. Died in Assembly committee.

AB 1537 (Morris). Rewrote sections of the Labor Code which determine the amount and duration of benefits for permanent disability and established a completely new schedule setting arbitrary duration periods and ceilings on benefits considerably lower than present provisions. Died in Assembly committee.

AB 1538 (Morris). Amended several sections relating to permanent disability to reduce drastically and to limit to 240 weeks payments for normal permanent disability made prior to the commencement of the life pension; limited worker to his temporary or permanent disability payment, whichever is greater. Died in Assembly committee.

AB 2064 (Morris). Amended Section 4553 to prohibit an award for additional compensation for serious and

wilful misconduct where the award is based upon a condition of the premises, equipment, or procedures approved by the Division of Industrial Safety within 12 months preceding the date of injury. Died in Assembly committee.

AB 2548 (Dolwig). Amended, added and repealed several sections relating to the adjudication of claims before the IAC: modified its power of authority in acting upon reconsideration, generally enlarging the authority of the referee; specifically gave referees final power in granting reconsideration but required a denial of reconsideration to be approved by the Commission. Died in Assembly committee.

AB 2549 (Dolwig). Amended several sections to enlarge the scope of review of final decisions of the IAC by an appellate court; allowed the appellate court, among other things, to go into questions of fact, heretofore determined by the Commission as trier of the fact. Died in Assembly committee.

AB 2550 (Dolwig). Amended several sections relating to evidence before the IAC, taking away informality of present admissibility of evidence, and intending to enact common law and statutory rules of evidence. Died in Assembly committee.

AB 2551 (Dolwig). Amended Section 5100 to remove the discretion of the IAC to grant an applicant's request for commutation or lump sum amounts; in effect, would have abolished all commutation. Died in Assembly committee.

AB 2552 (Dolwig). Amended Section 5803 to limit the grounds for re-opening a claim within five years subsequent to the injury. Died in Assembly committee.

AB 2688 (Lanternman). Amended Section 4453 repealing the present 95 per cent formula for determining average weekly wages and reenacting another 95 per cent formula which distinguished between permanent and temporary work, instead of between employment for more and less than 30 hours, and which was considerably harsher on the temporary worker. Died in Assembly committee.

AB 2689 (Lanternman). Amended Sections 3859 and 3860, relating to third person settlement in subrogation cases, to provide that release or settlement of a claim for damages is void for any and all purposes without the written consent of both employer and employee; and similarly that a release or settlement of any claim for damages after action and before judgment is void for any and all purposes without notice to both employer and employee and opportunity to employer to recover. Died in Assembly committee.

SB 67 (Breed). Originally amended Section 3352 to exclude from coverage any person performing voluntary services for a non-profit organization who receives no pay other than meals, lodging, or transportation.

As enacted is of little significance: merely excludes persons performing voluntary services at recreational camps etc., such as girl scout camps, operated by a nonprofit organization exempt from federal income tax. Chapter 513.

SB 974 (Weybret). Amended Section 3202 to provide that the language, instead of the provisions, of the workmen's compensation and safety of employment laws shall be liberally construed. Died in Senate committee.

SB 1375 (Murdy). Added Section 3208.5 and repealed Section 5500.5 to limit the liability of each employer or insurer, in cases of occupational disease, to the proportion which the period of exposure in the employment of such employer or under the coverage of the insurer bears to the total periods of exposure in all employments, and to require average earnings to be found separately for each period of exposure. Died in Senate committee.

SB 1376 (Murdy). As sent to floor of Senate with favorable recommendation, amended Sections 3202 and 5705 to destroy the informality of workmen's compensation proceedings; declared that the burden of proof shall be a preponderance of the evidence and does not rest on the employer except in respect to affirmative defenses. Referred to Senate inactive file. Died in Senate.

SB 1377 (Murdy). Amended Sections 3208 and 3600 and added Section 3208 to redefine and narrow definition of compensable injuries; to define occupational diseases; and to add to the conditions of compensability for an injury. Died in Senate committee.

SB 1378 (Murdy). As introduced, was substantially the same as **AB 1315** (above). As refused passage in Senate by vote of 13-25, removed employer liability for additional benefits under serious and wilful misconduct provision of the law in cases of injury resulting from such causes as assault. Died in Senate.

SB 1379 (Murdy). Added Section 4700.5 to limit drastically conditions under which coronary or circulatory diseases may be held to result in compensable industrial death. Died in Senate committee.

SB 1380 (Murdy). As passed by Senate, limited subsequent injury benefits and established a Subsequent Injuries Fund, establishing procedure for making claims against such fund. Referred to interim committee for further study by Assembly committee.

SB 1381 (Murdy). Amended Section 4657, relating to temporary partial disability and to wage loss, to provide that if evidence of exact loss of earnings is lacking, such weekly loss in wages shall be proportionate to the loss of physical ability or earning power caused by the injury in terms of percentage by reference to IAC's permanent disability rating schedule. Died in Senate committee.

SB 1388 (Grunsky). Amended, added, and repealed several sections of Labor Code to require all members of IAC to be lawyers with 5 years of experience; barred labor union members and officials from Commission membership; also weakened present law by restricting coverage and delaying payments. Died in Senate committee.

SB 1389 (Grunsky). As amended, made a number of unfavorable changes regarding liens against workmen's compensation benefits and the compromising of such liens; made Department of Employment medical records admissible as evidence in any action under workmen's compensation; removed statute of limitations on employer

filing for reduction of benefits on grounds of serious and wilful misconduct of employee in cases where employee has commenced proceedings for recovery of compensation benefits. Died in Senate committee.

SB 1390 (Grunsky). Added Sections 4553.1 and 4553.2 to limit employer's responsibility for wilful misconduct, establishing a conclusive presumption that an employer's misconduct is not wilful where he maintains an active safety program or the injury results from the patent condition of equipment which was in the place of employment at the time of an inspection by the Division of Industrial Safety; made opinion evidence inadmissible to establish the fact of misconduct. Died in Senate committee.

SB 1391 (Grunsky). Amended Section 4660 to prohibit the rating of pain in determining the percentage of permanent disability. Died in Senate.

SB 1393 (Grunsky). Amended Section 5412 to fix the date of injury in occupational disease cases as the date upon which the employee first sustained harm, rather than the date on which he first suffered disability. Died in Senate committee.

SB 1711 (McBride). Amended Section 11732 of Insurance Code to require the Insurance Commissioner to include in fixing minimum workmen's compensation insurance rates a reasonable margin for underwriting profit and contingencies. Vetoed by the Governor.

MISCELLANEOUS

Good Bills

AB 249 (Weinberger). Strengthens prohibition against splitting of loans made by industrial loan companies in order to receive interest rates higher than those allowed in Financial Code. Chapter 246.

AB 250 (Weinberger). Changes from ten per cent per annum to five-sixths of one per cent per month maximum rate of interest charged by industrial loan companies on unpaid balances in excess of \$300. Chapter 247.

AB 3241 (Thomas J. Doyle). As introduced, made it a misdemeanor for owners of lodging and eating establishments to raise their prices within 60 days prior to any special event.

As amended, was less desirable: applicability was restricted to hotel and motel owners during state and county fairs and sessions of the legislature. Died in Assembly committee.

AJR 24 (Hawkins). Urges Congress to increase pay of postal employees commensurate with existing cost of living. Resolutions, Chapter 98.

AJR 28 (Shaw). Urged Congress to revise the Immigra-

tion and Naturalization Act of 1952 which discriminates against immigrants from certain countries and of certain ethnic backgrounds. Died in Assembly committee.

SB 1949 (O'Gara). As amended, requires closing of banks on Saturdays while increasing the number of optional days on which banks may close or remain open; effective for two years between September 10, 1953 and September 8, 1955. Chapter 1213.

SJR 8 (O'Gara). Urges Congress and President to grant statehood to Territory of Hawaii. Resolutions, Chapter 62.

Bad Bills

AB 975 (Brown). Made a person subscribing to or making two or more contradictory statements under oath guilty of false swearing, punishable by five years in state prison or one year in county jail. Died in Assembly committee.

SJR 12 (Donnelly). Urges 83d Congress to adopt Senate Joint Resolution No. 1 (Bricker amendment) which proposes a constitutional amendment severely restricting executive power to make treaties and executive agreements. Resolutions, Chapter 68.

1953 REGULAR SESSION, CALIFORNIA STATE LEGISLATURE

Tabulated Vote on 17 Senate Roll Calls

Black • Indicates a Good Vote. Red • Indicates a Bad Vote.

— Indicates Absent or Not Voting.

* Indicates a Federation Bill.

Limitation of space prevents compilation here of all roll calls affecting the welfare of labor. The votes listed cover a significant range of subjects of special interest to workers.

PARTY GOOD BAD ABSENT <				
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The votes of only 39 Senators appear in this tabulation since Senator Jess M. Mayo of the 26th District, who died on March 12, 1953, was not replaced during the session.

Tabulated Vote on 19 Assembly Roll Calls

—Indicates Absent or Not Voting.

* Indicates a Federation bill.

Limitation of space prevents compilation here of all roll calls affecting the welfare of labor. The votes listed cover a significant range of subjects of special interest to workers.

*Elected at special election, March 19, 1953.

Note:

Assemblywoman Kathryn T. Niehouse and Assemblyman Willis W. Bradley were absent throughout the session because of illness.

Assemblyman Vernon Kilpatrick was not able to vote on many issues because of enforced absence from Sacramento in connection with personal legal matters.

Assemblyman William Byron Rumford was in Europe during part of the session, having been invited by the U.S. State Department and six cities in Germany to participate in an exchange citizens' program.

STATE OFFICERS AND MEMBERS OF THE 1953 LEGISLATURE

Governor—Earl Warren, State Capitol, Sacramento
Lieutenant Governor—Goodwin J. Knight, Los Angeles
President Pro Tempore of the Senate—Harold J. Powers, Eagleville
Speaker of the Assembly—James W. Silliman, Salinas

Speaker Pro Tempore of the Assembly—Thomas A. Maloney, San Francisco

SENATORS

Party	Dist.	City	Party	Dist.	City
Abshire, F. Presley.....	R 12	Geyserville	Johnson, Ed. C.....	R 10	Marysville
Berry, Swift.....	R 9	Placerville	Johnson, Harold T.....	D 7	Roseville
Breed, Arthur H., Jr.....	R 16	Oakland	Kraft, Fred H.....	R 40	San Diego
Brown, Charles.....	D 28	Shoshone	Vacancy	26	
Burns, Hugh M.....	D 30	Fresno	McBride, James J.....	D 33	Ventura
Busch, Burt W.....	R 4	Lakeport	McCarthy, John F.....	R 13	San Rafael
Byrne, Paul L.....	R 6	Chico	Miller, George, Jr.....	D 17	Richmond
Collier, Randolph.....	R 2	Yreka	Montgomery, Robert I....	D 27	Hanford
Coombs, Nathan F.....	R 11	Napa	Murphy, John A., Jr.....	R 35	Huntington Beach
Cunningham, James E....	R 36	San Bernardino	O'Gara, Gerald J.....	D 14	San Francisco
Desmond, Earl D.....	D 19	Sacramento	Parkman, Harry L.....	R 21	Millbrae
Dilworth, Nelson S.....	R 37	Hemet	Powers, Harold J.....	R 1	Eagleville
Donnelly, Hugh P.....	D 22	Turlock	Regan, Edwin J.....	D 5	Weaverville
Dorsey, Jess R.....	R 34	Bakersfield	Sutton, Louis G.....	R 8	Maxwell
Erhart, A. A.....	R 29	Pismo Beach	Tenney, Jack B.....	R 38	Los Angeles
Gibson, Luther E.....	D 15	Vallejo	Thompson, John F.....	R 18	San Jose
Grunsky, Donald L.....	R 23	Watsonville	Ward, Clarence C.....	R 31	Santa Barbara
Hatfield, George J.....	R 24	Newman	Way, A. W.....	R 3	Fortuna
Hoffman, Verne W.....	R 20	Acampo	Weybret, Fred.....	R 25	Salinas
Hulse, Ben	R 39	El Centro	Williams, J. Howard.....	R 32	Porterville

ASSEMBLYMEN

Party	Dist.	City	Party	Dist.	City
Allen, Bruce F.....	R 29	San Jose	Hinckley, Stewart.....	R 73	Redlands
Backstrand, L. M.....	R 71	Riverside	Hobbie, Don.....	R 4	Oroville
Beck, Julian.....	D 41	San Fernando	Hollibaugh, Jonathan J..	R 52	Huntington Park
Belotti, Frank P.....	D 1	Eureka	Kelly, H. W.....	R 39	Shafter
Berry, William C.....	R 23	San Francisco	Kilpatrick, Vernon.....	D 55	Lynwood
Bradley, Clark L.....	R 28	San Jose	Klockslem, Herbert R....	R 44	Long Beach
Bradley, Willis W.....	R 70	Long Beach	Lanternman, Frank.....	R 48	La Canada
Brady, Bernard R.....	D 22	San Francisco	Levering, Harold K.....	R 60	Los Angeles
Brown, Ralph M.....	D 30	Modesto	Lincoln, L. H.....	R 15	Oakland
Bulen, Edwin S.....	R 77	Escondido	Lindsay, Francis C.....	R 6	Loomis
Burke, Montivel A.....	R 53	Alhambra	Lipscomb, Glenard P.....	R 56	Los Angeles
Caldecott, Thomas W....	R 18	Oakland	Lowrey, Lloyd W.....	D 3	Rumsey
Casey, J. Ward.....	R 76	Brawley	Luckel, Frank.....	R 78	San Diego
Chapel, Charles Edward..	R 46	Inglewood	Lyon, Charles W.....	R 59	Los Angeles
Clarke, George A.....	R 31	Planada	Lyon, LeRoy E., Jr.....	R 75	Fullerton
Cloyed, Ralph R.....	R 80	Chula Vista	Maloney, Thomas A.....	R 20	San Francisco
Collier, John L. E.....	R 54	Los Angeles	Marsh, William F.....	R 42	North Hollywood
Collins, George D., Jr....	D 24	San Francisco	Masterson, S. C.....	D 11	Richmond
Conrad, Charles J.....	R 57	Sherman Oaks	McCollister, Richard H....	R 7	San Anselmo
Cooke, John B.....	D 37	Ventura	McFall, John J.....	D 12	Manteca
Coolidge, Glenn E.....	R 27	Felton	McGee, Patrick D.....	R 64	Van Nuys
Creedon, Daniel J.....	R 25	San Mateo	McMillan, Lester A.....	D 61	Los Angeles
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Evans, John W.....	R 65	Los Angeles	Silliman, James W.....	R 34	Salinas
Fleury, Gordon A.....	R 8	Sacramento	Smith, H. Allen.....	R 43	Los Angeles
Geddes, Ernest R.....	R 49	Claremont	Stanley, Earl W.....	R 74	Balboa Island
Geddes, Samuel R.....	D 5	Napa	Stewart, A. I.....	R 47	Los Angeles
Hahn, Gordon R.....	R 66	Los Angeles	Thomas, Vincent.....	D 68	San Pedro
Hansen, William W.....	R 33	Fresno	Tomlinson, Stanley T.....	R 36	Santa Barbara
Hawkins, Augustus F.....	D 62	Los Angeles	Waters, Laughlin E.....	R 58	Los Angeles
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Executive Council
California State Federation of Labor

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