



# THE SACRAMENTO STORY

*Labor and the California Legislature - 1951*





# LABOR LEGISLATION

## REPORT ON 1951 REGULAR SESSION OF THE CALIFORNIA LEGISLATURE

January 8 to 23, and March 12 to June 23, 1951

1951



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**CALIFORNIA STATE FEDERATION OF LABOR**  
**C. J. HAGGERTY**

Secretary and Legislative Representative

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# Table of Contents

	Page
Foreword by the Secretary .....	3
Apprenticeship .....	6
Barbers and Cosmetologists .....	6
Child Care Centers .....	6
Civil Rights .....	7
Construction .....	7
Dairy Industry .....	8
Elections .....	9
Employment Agencies .....	10
Farm Labor .....	10
Fire Fighters .....	11
Fishing .....	11
Industrial Safety .....	12
Insurance .....	13
Labor Code Changes, Miscellaneous .....	13
Labor Unions .....	14
Motor Vehicles .....	15
Public Health .....	16
Railroad Employees .....	16
Schools .....	17
Social Welfare .....	18
State, County and Municipal Employees .....	21
Taxes .....	23
Teachers and Other School Employees .....	24
Unemployment Insurance .....	26
Unemployment Disability Insurance .....	29
Veterans .....	32
Water and Power .....	32
Workmen's Compensation .....	33
Miscellaneous .....	37



# REPORT ON LABOR LEGISLATION

1951 Regular Session of the California Legislature  
January 8-23 and March 12-June 23, 1951

## FOREWORD BY THE SECRETARY

Despite prophecies of gloom and abject defeat heard in early January, the California State Federation of Labor emerged from the 1951 general session of the state legislature with historic victories in workmen's compensation and disability insurance firmly in hand, and with its trade union structure still intact.

A summation would show that labor won numerous basic and long sought gains, and at the same time, successfully repelled constant reactionary assaults on its fundamental rights.

Among the encouraging experiences of the intense 120-day session was the enlightened attitude adopted by the State Senate, which refused to become the spearhead for futile, anti-labor measures advanced by the socially retarded forces of California life.

Another gratifying experience was the determination of the Assembly to re-refer anti-labor bills to the proper committee following original assignments to committees not normally concerned with labor law.

The specific triumphs in new legislation will be found in the body of this report, together with facts concerning the defeat of bills harmful not only to the labor movement but to the general welfare of California.

It was the responsibility of the State Federation to observe the progress of more than 2700 bills of interest to labor. This represents the highest number of measures pertinent to labor ever introduced in California legislative history, and is indicative of the vital and far reaching place of labor in modern society.

### MAJOR DEVELOPMENTS

#### Unemployment Disability Insurance

The improved disability insurance law introduces the following liberal changes:

(1) Boost in maximum weekly benefits from \$25 to \$30.

(2) Workers on strike may collect benefits if disability is from causes other than strike activities.

(3) Workers may receive full hospitalization benefits when confined to a hospital, in addition to 100 percent remuneration received from employers.

(4) Workers may collect regular benefits when not hospitalized, if such benefits, together with remuneration received from employers, do not exceed 70 percent of the regular weekly wages.

The boost in maximum weekly benefits should result in the payment of some six and a half million dollars in increased benefits from the State Fund, plus from three to four million dollars from private carriers.

This legislation was adopted through the combined support of the California State Federation of Labor and the private insurance carriers. It was also adopted in the face of powerful opposition from certain employer powers.

The California disability insurance program is financed exclusively by the workers of the state who contribute one percent of their wages (up to \$3,000) to the State Fund or to a private insurance unit when they have so consented.

Two years ago, during the 1949 session of the state legislature, the insurance carriers fought all improvements to the disability law regardless of how such improvements would affect the solvency of the State Fund. In 1951 they agreed to support progressive measures that would not endanger such solvency.

As a result of this new attitude, the Executive Council of the State Federation, pursuant to authority granted by convention action, has lifted the boycott of private carriers imposed at the 1949 state convention held in Los Angeles. The

boycott was lifted immediately following the recently concluded legislative session, and while this action does not indicate an endorsement of private plans as such, it does constitute a recognition of the progressive thinking of the private carriers as evidenced in Sacramento.

A new and interesting development in the sphere of both disability and unemployment insurance legislation was the marked lobbying activity of the Hearst press in fighting any liberalization of these programs and also in seeking to repeal benefits won in past years.

### Workmen's Compensation

Major improvements in the Workmen's Compensation law provide for the following new benefits:

(1) Boost in maximum weekly benefits for temporary disability from \$30 to \$35.

(2) Increase in death benefits from \$6,000 to \$7,000 where there is a dependent survivor, and from \$7,500 to \$8,750 where there are a dependent survivor and a dependent child.

(3) Replacement of dentures injured or destroyed in industrial accidents; replacement of damaged eyeglasses if disability exceeds three days, rather than seven as under the old law.

(4) Compensation for laboratory fees reasonably and necessarily incurred for purpose of proving a contested claim.

The increased benefits should bring the workers of California an annual boost of approximately \$3.5 million per year. Numerous other bills on workmen's compensation were adopted which will facilitate enforcement of the law and collection of benefits under it.

### Unemployment Insurance

Although the legislature refused adoption of advantageous measures in unemployment insurance, it also rejected a host of notorious bills designed to deprive thousands of California workers of benefits now received under the unemployment insurance law.

However, two measures inimical to Californians were passed by both houses. One of these nullifies wages earned during the period immediately prior to a worker's first claim for unemployment in computing eligibility for second claim for benefits. At the present time, wages not included in the first computation are recognized in the later

claim; this measure disqualifies thousands now eligible for such additional benefits. The bill was signed into law by Governor Warren. The second destructive measure would have disqualified a woman worker leaving employment for domestic or marital reasons from all benefits until she had earned at least \$100 in subsequent employment. This measure was pocket-vetoed by Governor Warren.

### Labor Unions

The principal struggle for labor union rights centered in the "hot cargo" and "open shop" legislation sponsored by the Associated Farmers and kindred groups.

The powerful corporate farm lobby was unable to secure passage of the secondary boycott and anti-union legislation in either Senate or Assembly. The tory measures were introduced and pushed with almost incredible persistency despite the fact that in his opening message to the legislature, Governor Warren had asked both labor and capital to refrain from introducing provocative measures at a time when industrial peace was obviously essential to the national defense effort. Fortunately, both Assembly and Senate supported the AFL position and conclusively smashed both "hot cargo" and "open shop" legislation.

### GENERAL LEGISLATION

On the controversial civil rights front, the Federation secured adoption of a measure to prohibit discrimination on the basis of race, creed, or color in the hiring of apprentices on public works projects.

At the request of the Federation and aroused civic bodies throughout California, Governor Warren vetoed a Big Business attempt to emasculate a 60-year old state law permitting workers to obtain two hours off without wage loss for voting on election days.

Other pieces of Federation-backed legislation enacted into law included bills tightening apprenticeship training standards; extension of child care centers under more liberal admittance standards but burdened by requirements of partial local financing; protection of public transit employees against delayed action damage suits; boosting of teachers' minimum wage from \$2400 to \$3000 per year.

Among construction trade measures adopted were one commanding payment of wages for em-

ployees refusing to work under unsafe conditions, providing an official claim is filed, and another calling for sanitary toilet facilities on projects employing 20 or more persons.

Federation action in various AFL trade-union interests is listed fully in the body of the legislative report, together with a total review of measures affecting the working people of California.

### LABOR'S FRIENDS

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

Furthermore, as has been noted in the Federation's previous legislative reports, the otherwise perfect or near-perfect records of several Senators and Assemblymen appear to be marred by absences. It is significant that in both houses the percentage of absenteeism is much lower among members at the top of the labor rating list than among those at the bottom. Liberal legislators were, almost without exception, conscientious in the performance of their duties.

At a later date the Federation will publish a supplementary list of committee votes, although a complete recording will not be possible since the roll calls are not officially published and many issues are determined by purely voice votes.

We are grateful to the many legislators who voted for the working people during the past session, and especially to those legislators who stood by their convictions despite tremendous opposition pressures. Gratitude is due especially to those legislators who fought with us in committee actions where votes are not usually open to public scrutiny and review. Because of the importance of the committee function these legislators merit the thanks of the California State Federation of Labor and of all who would build a greater and more progressive state.

Governor Earl Warren is also deserving of commendation and thanks for the spirit of his opening message in which he asked the corporate powers of California not to light the fires of industrial warfare through violent class legislation. The Governor maintained this firm position throughout the 1951 session despite heavy and severe attack by reactionary blocs and lobbies.

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.

Affiliated unions were of great help to us in contacting legislators on the home level. I wish particularly to thank those who followed through the legislation requested by convention resolution.

### THE FUTURE

The future legislative success of the California State Federation of Labor depends in the main upon the efficiency of our political effort as expressed through the California Labor League for Political Education, the official vehicle of our state AFL organization.

While our program in Sacramento is one of advantage to all of the people of the state, we must realize that special economic interests have always endeavored to cripple the working people through punitive legislation and that our only recourse is to organize for effective political action.

The success of such a program requires a strong sense of local responsibility on the part of our unions throughout California, for only through an alert, politically conscious membership can we achieve legal recognition of those rights and benefits to which we are entitled.

Therefore, while affiliation with the California LLPE is the first fundamental step that must be taken, constant participation in the League functions through local activity is essential to the success of the whole effort. Only through such a policy may we look to the future with confidence and hope.

This also means that local units must exercise full care and caution in the endorsement of candidates to assure the selection of those who are honestly devoted to progressive government and whose careers reflect positive credit on the labor movement and the millions who comprise it.

Fraternally submitted,

C. J. HAGGERTY.



# SUMMARY AND REPORT ON LEGISLATION

## APPRENTICESHIP

The two bills enacted in the apprenticeship field are the direct result of resolutions introduced in the Federation's 1950 convention. Of these two, **\*AB 546**, to prohibit racial discrimination in the selection of apprentices, was amended down to apply only to apprentices on public works, but even in this milder form caused some of the most complicated parliamentary maneuvers of the session.

Bills marked \* were sponsored by the Federation  
Bills marked ● were sponsored by the  
State Building Trades Council

### Good Bills

**\*AB 542 (Gaffney)**. Amends Section 3077 of the Labor Code to redefine an apprentice as one requiring 2,000 hours of training in a program of training, employment and education approved by the Division of Apprenticeship Standards. Chapter 1074.

**\*AB 546 (Gaffney and Rumford)**. As introduced, prohibits discrimination on the basis of race, creed or color in the selection of apprentices. As enacted, prohibits such discrimination only on public works. Chapter 1192.

●**AB 2639 (Maloney)**. Provided for welders' certificates. Died in Assembly committee.

●**SB 1496 (Regan)**. Added to the Labor Code to provide for welders' certification. Died in Senate committee.

●**SB 1697 (Regan)**. Added to the Labor Code to provide for welders' certificate. Died in Senate committee.

## BARBERS AND COSMETOLOGISTS

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 407 (Doyle)**. Increases the per diem of members of the Board of Cosmetology from \$10.00 to \$20.00. Chapter 1579.

**AB 1961 (Porter, Evans, et al)**. Provided that barber shops and colleges must be closed on Sundays or holidays unless Sunday is not a religious day for the manager or operator. Died in Assembly committee.

### Bad Bills

**AB 813 (Niehouse)**. Limits each member of Board of Cosmetology to no more than two terms. Increases license fees; a good feature necessary to effectuate the purpose of **\*AB 407**. Chapter 838.

**SB 805 (Kraft)**. As amended and enacted, provides that no member of the State Board of Cosmetology shall serve more than two consecutive terms. Chapter 554.

## CHILD CARE CENTERS

### Good Bills

**AB 21 (Geddes, Dunn, et al)**. Provides for the continuation of child care centers until June 30, 1951, and appropriates \$1,800,000 for their support. Urgency measure. Chapter 4.

**AB 3410 (Geddes by request of Dunn, Niehouse, et al)**. As passed by Assembly, unanimously, continues child care centers and appropriates \$6,027,000 for them; raises maximum income of eligible parents with one child from \$257 to \$300 a month; makes parents working as teachers, nurses, defense or agricultural workers eligible; requires parents to bear one-third of cost, and makes other changes.

As passed by Senate and enacted, appropriates \$5,456,856; limits state aid to 25 cents per child per hour; continues most other Assembly amendments. Chapter 1236.

**SB 65 (Kraft, Thompson, et al)**. As passed by the Senate, appropriated \$5,381,943 for child care centers; permitted 20 cents per hour per child apportionment, and was generally less liberal than the Assembly version of this bill and of **AB 3410**. Not signed; see **AB 3410**.

## CIVIL RIGHTS

Civil rights was one of the most controversial matters before the 1951 legislature. The entering wedge to a fair employment practices commission was won when the legislature, after plowing through a maze of parliamentary tactics of "tabling," "reconsideration," etc. finally passed the Federation's bill, **\*AB 546**, in its amended form to prohibit discrimination on the basis of race or creed in the selection of apprentices on public works.

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 413 (Evans)**. Added Section 1141 to the Labor Code to prohibit discrimination in employment on the basis of age. Died in Assembly committee.

**\*AB 546 (Gaffney and Rumford)**. See APPRENTICESHIP.

**AB 1756 (Rumford and Hawkins)**. As passed by the Assembly, prohibits racial discrimination in public and private vocational business or professional schools. Senate amended to apply only to public schools. Died in Senate.

**AB 1902 (Maloney)**. Established a state commission on political and economic equality. Killed in Assembly committee by a vote of 8 to 9.

**AB 2227 (Sherwin)**. Prohibited racial discrimination in automobile liability insurance. Died in Assembly committee.

**AB 2251 (Rumford, Hawkins, et al)**. Fair Employment Practices Act. Withdrawal from committee refused by the Assembly, 27 to 33. Died in Assembly committee.

**AB 3065 (Elliott)**. Strengthened Civil Code provisions

preventing racial discrimination in public places. Died in Assembly committee.

**AB 3436 (Henderson)**. Declared as against state public policy, racial or religious discrimination in employment. Died in Assembly committee.

**SB 1689 (O'Gara)**. Prohibited court use of evidence illegally obtained. Died in Senate committee.

### Bad Bills

**AB 269 (Smith, Babbage, et al)**. Added Section 1106 to the Labor Code to permit an employer to fire an employee on suspicion of communism. Died in Assembly committee.

**AB 961 (Caldecott, Brown, et al)**. As amended, authorized the judge of a superior court to permit tapping telephone and telegraph wires to obtain legally admissible evidence in connection with certain felonies. Died in Assembly committee.

**SB 55 (Tenney)**. Added Section 1106 to the Labor Code to permit an employer to discharge any employee whom he suspects is a member of a communist organization. Died in Senate committee.

**SB 1633 (Weybret, Watson, et al)**. Limited payment of witness fees to persons subpoenaed by a legislative investigating committee; further limited right of witness to refuse to answer incriminating questions.

Amended in Assembly. Died in conference.

## CONSTRUCTION

Many grandiose projects involving billion dollar bond issues for construction projects were presented in bill form, but received little serious consideration. A bond issue for veterans' homes is reported under HOUSING.

Clarification and improvement in the state building code as contained in the State Housing Act are also reported under HOUSING.

While some "bad" bills to increase exemptions from competitive bidding were passed, such increases, while not desirable, can be justified.

Bills marked \* were sponsored by the Federation  
Bills marked ● were sponsored by the  
State Building Trades Council

### Good Bills

**\*AB 845 (Thomas)**. Required contractors to display their contractors' license on their business cars. Died in Assembly committee.

**\*AB 1053 (Parker)**. Requires one toilet (chemical or pit privy) at construction sites for every 20 employees. Chapter 984.

**AB 1106 (Dunn)**. Strengthened the requirement that only a bona fide owner may make repairs, etc. on his own dwelling. Died in Assembly committee.

**AB 1882 (McCarthy)**. Prohibited a contractor from practicing outside the scope of his license. Died in Assembly committee.

**●AB 2601 (Cooke)**. Originally, required any person who begins more than one structure during a year to be a contractor. As amended, is less favorable: exempts from the contractor's license law, any owner who occupies, uses or rents a new or repaired structure on which he had done his own work and does not offer it for sale prior to completion. Chapter 1209.

**●AB 2638 (Maloney)**. Provided that the Contractors' State License Board shall include in addition to its pres-

ent members one public and one labor representative. Died in Assembly committee.

●**AB 2659 (Berry and Gaffney)**. Authorized local regulations supplementing state regulations on licensing contractors. Died in Assembly committee.

●**AB 3101 (Gaffney and Maloney)**. Provides that "sale" under the contractor's licensing law means any transfer of property for a consideration. Chapter 1122.

●**AB 3102 (Gaffney)**. Provided that farm grading may only be done without a license if it is done by the farm owner. Died in Assembly committee.

●**AB 3103 (Gaffney)**. Skeleton bill for a plumbing and gas code. Died in Assembly committee.

**SB 489 and 494 (Mayo and Brown)**. Extends for two years the present acts providing for state aid to local governments in preparing for and constructing public works. Chapters 292 and 293.

●**SB 1494 (Regan)**. Increased the membership of the Contractors' State License Board to include one representative of the public and one of labor. Died in Senate committee.

●**SB 1495 (Regan)**. Provided that any person who builds or improves more than one structure and does not occupy it during a year must be a licensed contractor. Died in Senate committee.

**SB 1498 (Regan)**. Authorizes a county purchasing agent to obtain quotations by formal and informal bids. Chapter 821.

●**SB 1657 (Burns)**. Provided that only work done by the owner in connection with grading farm land shall be exempt from contractors' license requirements. Died in Senate committee.

●**SB 1698 (Regan)**. Provided that a person who builds more than one building a year must be a licensed contractor. Died in Senate committee.

●**SB 1699 (Regan)**. Provided for a public and a labor representative as additional members of the Contractors' State License Board. Died in Senate committee.

**SCR 94 (O'Gara)**. Requests Director of Finance to investigate state agency specifications and make it easier for California contractors and manufacturers to bid on state bids. Resolutions Chapter 225.

### **Bad Bills**

**AB 55 (Collier and Levering)**. Amends the Education Code to provide for the use of force account labor, in addition to day labor, on the repair of old buildings, the improvement of school grounds and other jobs where the total labor cost does not exceed \$1,000. Chapter 1068.

**AB 474 (Fleury and Moss)**. Amended the Harbors and Navigation Code to exempt from competitive bidding contracts under \$3000. The present limit is \$1500. Died in Assembly committee.

**AB 733 (Stanley, Brown, et al)**. Provided the funds currently being appropriated to counties (for streets and airports) shall instead be appropriated to a California Aeronautics Fund. Died in Assembly.

**AB 3411 (Cooke)**. Raises from \$2000 to \$10,000 the value of a construction contract which may be let without competitive bidding, etc. Applies only to juvenile forestry camps and homes in which major portion of work is done by juveniles in camp. Chapter 1286.

**SB 378 (Jespersen)**. As amended, raised from \$500 to \$1000 the limit on work or materials to be obtained through competitive bidding by schools. Also increased from \$1000 to \$1500 repair work to be done by day labor. Died in Assembly committee.

**SB 407 (Desmond)**. Raises the exemption for competitive bidding on river port districts from \$1,500 to \$3,000. Chapter 504.

**SB 1063 (Hoffman)**. As amended, increased from \$2000 to \$3000 the amount of county supplies that may be bought without competitive bidding. Senate refused passage.

**SB 1211 (Hatfield)**. As enacted, increases from \$1,000 to \$2,000 the value of a project which may be constructed without complying with the provisions of the State Contract Act, and increases from \$10,000 to \$20,000 the size of a project which a state agency may undertake directly with the permission of the Department of Public Works. Remains in effect until after the 1953 regular session. Chapter 886.

**SB 1675 (Burns and Hatfield)**. Provided that public projects may be done with only relief labor and need not be done under contract when such labor is used. Died in Senate committee.

## **DAIRY INDUSTRY**

### **Good Bills**

**AB 1806 (Burkhalter and McCollister)**. Provided originally that eggs produced outside of California must conform to the standardization provisions in the Agricultural Code.

Completely amended to provide penalties of \$500 and/or six months in jail for violation of law on egg sanitation and standardization. Chapter 1642.

**AB 1904 (Gubser)**. As introduced, required



eggs produced outside California to be so labeled. As enacted, prohibits false statements on origin of eggs. Chapter 700.

**AB 2355 (Shaw).** Places the sale of concentrated milk products under the Desmond Act which fixes milk prices. Chapter 1755.

**SB 1450 (Jespersen).** Provides that the con-

tainer of imported egg products must show the foreign country of origin. Chapter 930.

### **Bad Bills**

**AB 968 (Fleury and Moss).** Provided for the sale of milk in bulk containers to schools, hospitals, etc. Re-referred to Assembly Committee on Ways and Means, where it died.

## ELECTIONS

The hottest and most difficult bill for the Federation on the election laws was the attempt in **AB 2665** to limit severely the two hours off to vote law which has been on the statute books for sixty years. We give thanks to Governor Warren for his veto of this bill and to the many Senators and Assemblymen who opposed it.

The Federation did not participate in the highly controversial bills to reapportion the state congressional, state senate and assembly districts, as presented in **AB 41, 42 and 141**, now Chapters 395, 396 and 397 of the 1951 statutes.

The legislature failed to act on the referendum to abolish cross-filing which was submitted to it, and the issue will accordingly appear on the ballot, together with **AB 1018**, which merely requires clearly indicating the candidate's political party on the ballot. This has resulted in a highly confused situation for the voters.

### **Good Bills**

**AB 149 (Waters).** Provides that nomination papers for federal or state legislators to be elected at a special election (i.e., due to death of incumbent) need be signed by only 1 percent of the voters. The present requirement is 5 percent. Chapter 742.

**AB 164 (Waters).** Provides for arguments for and against county measures to be submitted to the voters in the ballot pamphlet. Chapter 908.

**AB 1018 (Sam L. Collins).** As introduced, it is good, providing that the political party of a candidate be clearly shown on the primary ballot. The Federation opposed the Senate addition, which was adopted, that the bill be submitted to the people at the same election as the cross-filing initiative. Chapter 1584.

**AB 1069 (Conrad and Beck).** Continues until after the 1953 regular legislative session, the special provision for absentee ballots in Chapter 12, 3rd Extraordinary Session, 1950, and specifies dates for counting ballots. Chapter 842.

**AB 1607 (Rumford).** Eliminated cross-filing. Died in Assembly committee.

**AB 1893 (Waters).** Provides that a registered voter from one county may vote in a second county if he has moved to the second county ninety (90) days before the election. Chapter 759.

**AB 2220 (Conrad).** Makes uniform the method of canvassing absentee ballots, by repealing special provisions for cities of the 5th and 6th classes. Chapter 760.

**AB 2305 (Beck).** Provided for one additional state senator from San Francisco, Alameda, and San Diego counties and four additional from Los Angeles. Assembly refused passage, rescinded refusal, and then re-referred to original committee where bill died.

**ACA 8 (Waters).** Amended the constitution to provide that no person otherwise qualified to register or vote shall be disqualified merely because he lives in the District of Columbia or on a military base. Died in Assembly.

### **Bad Bills**

**AB 10 (Collier).** As amended, January 19, 1951, added Section 9906.6 to the Government Code to prohibit non-pensioners from soliciting contributions from pensioners, when such contributions are to be used to promote legislation. Passage refused in Assembly.

**AB 764 (Crowley).** Made the positions of state senator and state assemblyman non-partisan. Would insure the election of candidate supported by the majority, but would reduce party responsibility. Died in Assembly committee.

**AB 1923 (Waters).** Provided that there shall be only one signature on each page of an initiative etc. petition. Died in Assembly committee.

**AB 2438 (Conrad).** Provided that in elections in cities of the 5th and 6th class, the original notice of election need not list the measures to be voted on; instead, the measure should be published twice in a newspaper after the notice of election has been published. Also provided the nomination papers need not show the occupation of the signer. Died in Assembly committee.

**AB 2665 (Connolly).** Amended the present law providing for two hours off from work to vote to provide that two hours may be taken off from work only when it is absolutely essential and there is no other time at which the employee may vote. Passed by the Assembly by a vote of 41 to 36 and the Senate by 22 to 11. Vetoed, June 22, 1951.

**SB 157 (Desmond).** Provided that the office of state senator or assemblyman shall be non-partisan. This law would have prevented the election of minority candidates possible under present election laws due to cross-filing. However, this bill would make party discipline and party standards meaningless as far as the state legislature is concerned. Died in Senate committee.

**SCA 6 (Weybret).** As first amended in the Senate January 17, increased the number of signatures required to qualify an initiative petition from 8 to 10 percent. Increased the number of signatures required to qualify a petition to submit a referendum to the legislature from 5 to 8 percent, and extended the time in which the legislature may act. Further provided that a specified percentage of the signatures must be obtained in each county or group of counties.

As passed by the Senate, unobjectionable; provides that the legislature's constitutional recess shall not be included in the 40 days given the legislature to act on referendum submitted to it, and makes changes in processing initiative petition by county clerk or registrar of voters. Died in Assembly committee.

## EMPLOYMENT AGENCIES

See also FARM LABOR

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 408 (Doyle).** Repealed Section 1647.5 of the Labor Code, which requires arbitration of disputes over a contract between employment agencies and applicants. Died in Assembly committee.

**\*409 (Rosenthal).** Added Section 1631.1 to the Labor Code to provide that no employment agency may charge a fee in excess of 5 percent of the applicant's first month's salary. Died in Assembly committee.

**\*AB 410 (Rosenthal).** Amends Section 1630.1 of the Labor Code to require private employment agencies to inform applicants whether union membership is required at a prospective job. Chapter 1062.

**\*AB 411 (Rosenthal).** Abolished private employment agencies. Died in assembly committee.

**\*AB 412 (Rosenthal).** Added Section 1682 to the Labor Code to require all employers to list openings with the Department of Employment for at least 48 hours before listing the vacancy with a private employment agency. Died in Assembly committee.

**AB 3072 (McMillan).** Adds Section 1590.5 to the Labor Code to assure prompt renewal of bond, and suspends employment agency's license when bond has not been renewed. Chapter 796.

## FARM LABOR

Despite the extensive hearings and favorable reports released prior to the 1951 legislative session, by both the Governor's Committee to Survey the Agricultural Labor Resources of the San Joaquin Valley and the President's Commission on Migratory Labor, little was actually accomplished to improve farm labor conditions. The Labor Code provisions applying to labor contractors (who are principally engaged in farm labor contract work) were consolidated and improved slightly, and similar slight changes were made on code provisions governing the employment of minors. No gains on housing or on unemployment insurance coverage were made. (See UNEMPLOYMENT and UNEMPLOYMENT DISABILITY INSURANCE for added details.)

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 1116 (Davis).** Prohibited charging an employee for bedding at a labor camp. (Labor Code Section 2416.) Died in Senate committee.

**AB 2740 (Henderson).** Skeleton bill for state aid to

counties in caring for unemployed migrant workers. Died in Assembly committee.

**AB 3045 (Hagen, Hansen, et al).** Amends Section 1551 of the Labor Code to redefine "labor contractor." Died in Senate committee.

**AB 3046 (Hagen, Hansen, et al).** Amended Section 1581 of the Labor Code to require a labor contractor to keep his license in his immediate personal possession at all times. Died in Senate committee.

**AB 3047 (Hagen, Hansen, et al).** Amended Section 1589, etc. of the Labor Code to require a labor contractor to deposit a bond equal to the highest weekly payroll handled by him. Died in Assembly committee.

**AB 3048 (Hagen, Hansen, et al).** Amended Section 205

of the Labor Code to require a labor contractor to pay wages weekly. Died in Senate committee.

**AB 3049 (Hagen, Hansen, et al).** Added Sections 1622.1 and 1622.2 to the Labor Code to require a labor contractor to keep written records of his wage payments and to give piece-work employees a duplicate record of their work. Died in Senate committee.

**AB 3176 (Henderson).** Authorized the Division of Housing to encourage the formation of public service districts to operate public labor camps in areas where suitable labor camps for agricultural workers are deficient. Re-referred to Assembly Committee on Ways and Means, where it died.

**AB 3177 (Henderson).** The provisions of this bill caused considerable misunderstanding. The Department of Industrial Relations, responsible for its enforcement has stated that the bill brings the Labor Code and Education Code provisions on child labor into conformity and makes relatively minor changes.

The bill does, however, extend child labor laws to agricultural employment, although agricultural work for parents is not covered or controlled. Chapter 1019.

**AB 3204 (Hagen, Hansen, et al).** Provided that any person who knowingly contracts with an unlicensed contractor shall be liable for unpaid wages of workers hired through the contractor. Died in Senate committee.

**SB 1198 (Hatfield).** As introduced, strengthens Labor Code provisions on farm labor contractors to require weekly pay days, a bond equal to the highest weekly payroll, written wage records and other improvements.

As enacted, merely places in one section of the Labor Code provisions applying to farm labor contractors and makes rather limited improvements in the law. Chapter 1746.

**SB 1214 (Hatfield).** Amended Labor Code to provide that a person who contracts for labor from an unlicensed contractor is liable for the wages due the laborers. Died in Senate committee.

## FIRE FIGHTERS

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 804 (Dickey).** As amended, provided 15 days' vacation with pay to firemen with less than five years' service, and 21 days to those with 5 or more years in all city, county and special fire districts; provided for 11

paid holidays, with time and a half pay for holidays worked. Died in Assembly committee.

**AB 3024 (Morris).** As amended, provided that employees of fire departments of state institutions, including volunteer firefighters, shall receive the same workmen's compensation benefits as other volunteer firefighters and local firefighters. Died in Assembly committee.

**\*ACA 11 (Dickey).** Established a firemen's retirement fund to be supported by a tax of not less than 2 percent on the gross revenues of fire insurance companies on business done in California. Authorized the legislature to provide for the payment of retirement benefits to firemen. Died in Assembly committee.

**SB 145 (Regan and Johnson).** As enacted, increases by \$25 a month the pensions for service-connected disability for retired county fire fighters, and makes other changes. Chapter 1236.

## FISHING

### Good Bills

**AB 496 (Luckel).** Continues for another two years the present size limits on tuna, and provides that after December 31, 1953, no tuna over 150 pounds may be sold. Chapter 304.

**AB 751 (Lindsay).** As introduced, this bill was bad, giving the Commission power to determine commercial fishing seasons.

As enacted, it continues for 2 years the present law prohibiting the Commission from determining commercial fishing seasons, and is a good measure. Chapter 1273.

**AB 1492 (Doyle, Erwin, et al).** Continues the 2½-cent privilege tax per 100 pounds of sardines until December 31, 1955. Urgency measure. Chapter 1108.

**AB 2072 (Thomas).** As introduced, removed prohibition on use of purse seine and round haul nets in District 118.5 (off Santa Barbara).

As enacted, prohibits nets within one-half mile only of any pier or dock in District 118.5. Chapter 1298.

**SB 1446 (Jespersion and Weybret).** As amended and enacted, enlarges the area for sardine fishing for northern California canneries. Chapter 649.



## HOUSING

Housing benefits of the 1951 legislature included a liberalization of the loan limits under the Veterans Farm and Home Loan law, and a \$150 million bond issue for veterans' farm and home loans. Clarification and added flexibility in the state building code were obtained and should facilitate housing construction. The Federation did not press its rent control bill since it appeared that the federal congress would take the necessary action.

Bills marked \* were sponsored by the Federation  
Bills marked • were sponsored by the  
State Building Trades Council

### Good Bills

**AB 45 (Luckel, Cooke, et al).** Provides that the Veterans Farm and Home Purchase Act shall apply to veterans of the Korean War. Chapter 201.

**AB 72 (McCollister).** As enacted, amends the Veterans Farm and Home Purchase Act to provide that the Veterans Department may expend up to \$15,000 for a farm; previous limit was \$13,500. Further provides that the Department may expend up to \$8,500 for a home; previous limit was \$7,500. Chapter 1154.

**AB 292 (Dunn).** Provides that a veteran who has lost both legs may receive up to \$15,000 in total value of property and improvements under the California Veterans Farm and Home Purchase Act in addition to whatever federal benefits he may receive. Chapter 170.

**AB 822 (McCollister and Doyle).** Increases from \$2 million to \$5 million the funds available to the Department of Veterans Affairs in connection with veterans' farm and home loans. Chapter 103.

**AB 984 (Burkhalter).** Proposed a state auto and trailer park law. Provided for state enforcement unless the city or county was actually enforcing its own equally good regulations. Provided minimum standards on water, sewage, garbage and laundries. Violation a misdemeanor punishable by \$200 and/or 30 days' imprisonment. Killed in Senate.

**\*AB 1150 (Dills).** Stop-gap rent control bill. Died in Assembly committee.

**AB 1903 (Maloney).** Continues for two years certain provisions of the law for temporary and emergency housing for veterans and servicemen, and makes defense workers eligible for such housing. Chapter 1644.

**AB 2886 (McCollister, Dolwig, et al).** "Veterans Bond Act of 1951," for \$150,000,000 bond is-

sue for Veterans Farm and Home Loan law. Chapter 1086.

**ACA 42 (Geo. D. Collins).** Repealed Article 34 (Proposition 10, November, 1950) which requires an election to authorize public housing committees. Died in Assembly committee.

**SB 414 (Breed).** As enacted, brings provisions of the State Housing Act into closer conformity with city and county building codes; clarifies the Act; provides that materials and construction may be approved on a performance, rather than specification, basis; permits relaxation of Act in unincorporated sparsely populated areas when health and safety will not be endangered and when material shortages exist; makes changes on garages, boiler rooms and gas venting connections; other changes. Chapter 1127.

**SB 1031 (O'Gara).** Codification of law on Community Redevelopment and Housing. A "watch" bill reported here for convenience only. Chapter 710.

### Bad Bills

**SB 357 (Breed).** Exempts seasonal nonprofit recreational buildings from strict compliance with the state Health and Safety Code. Chapter 547.

**SB 821 (Kraft).** Provides that a partition 3 feet by 7 shall be sufficient separation of sleeping and kitchen quarters. Chapter 505.

## INDUSTRIAL SAFETY

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 541 (Gaffney).** Amended Section 6506 of the Labor Code to provide that every person shall be conclusively presumed to know of every order, decision, rule, etc., on industrial safety. See also **AB 511**. Died in Assembly committee.

**\*AB 543 (Gaffney).** Adds Section 6404.1 to the Labor Code, to prohibit the use of any inflammable gas in any gas pipe tests. Chapter 1240.

**\*AB 544 (Gaffney).** Added Section 6616 to the Labor Code to require supervisors be given a copy of all applicable industrial safety orders. Died in Assembly.

**\*AB 545 (Gaffney).** Amends Section 6604 of the Labor Code concerning unsafe working conditions to provide for the payment of wages provided a claim is filed. This will make it easier for an employee who refuses to work under unsafe conditions to obtain the wages due him. Chapter 1088.

**AB 980 (Maloney).** Amends Section 6410 of the Labor Code to increase the penalty for failing to report an accident from \$10 to \$25. Chapter 840.

### **Bad Bills**

**SB 755 (Donnelly, Tenney, et al).** Returned to the Director of the Department of Industrial Relations control over the Industrial Accident Commission. Died in Senate committee.

## **INSURANCE**

See also UNEMPLOYMENT DISABILITY INSURANCE.

Bills marked \* were sponsored by the Federation

### **Good Bills**

**\*AB 368 (Luckel).** Provided that group life insurance

policies might be written for a group of labor unions. Died in the Senate.

**AB 817 (Geddes, Condon, et al).** As introduced, makes it illegal for a seller or lender to require the buyer to take out insurance with a particular designated firm, but amendments permit seller to recommend or disapprove insurance carrier. Chapter 224.

**AB 1674 (Grunsky).** Permits group life insurance for a group of unions, applicable to members only, and reduces size of group from 50 to 25. Chapter 280.

**AB 1679 (Grunsky).** Permits groups of unions to obtain group disability insurance. Chapter 284.

**AB 2336 (McMillan).** Prohibited false advertisements of health insurance plans. Died in Senate committee.

**AB 2761 (Davis).** Provided that when an employer has been covered by a group life or disability insurance plan issued to one employer for 10 years, he shall continue to be covered (if he pays premiums), even when he leaves the employer; makes other additions to protect employees' rights. Died in Assembly committee.

### **Bad Bills**

**AB 3305 (Morris).** Provided that if a life or disability insurance policy contained an exclusion for injury due to riot, "riot" shall mean any disturbance of the peace by two or more persons. Died in Assembly committee.

## **LABOR CODE CHANGES, MISCELLANEOUS**

See also APPRENTICESHIP, EMPLOYMENT AGENCIES, FARM LABOR and INDUSTRIAL SAFETY. Laws covering these subjects are contained in the Labor Code, as is the Workmen's Compensation Act.

An important measure, originally bad and amended to be unobjectionable, is **AB 849** providing for emergency extension of working hours for women.

Bills marked \* were sponsored by the Federation

### **Good Bills**

**AB 369 (Luckel).** Added Section 81 to the Labor Code to provide deputy labor commissioners, regardless of membership in the State Bar, to hear disputes on claims for wages due. Died in Assembly committee.

**\*AB 486 (Cooke).** Added Section 2751 to the Labor Code to establish a minimum wage of \$1.25 per hour for all employees, both male and female, in all industries in the state. Died in Assembly committee.

**\*AB 537 (Meyers).** As introduced, amended Section 2928 of the Labor Code to eliminate the present clause in the law which provides that when an employee is late less than 30 minutes, one-half hour's wage may be deducted.

As passed by Assembly, repealed entirely Section 2928

permitting deductions for lateness. Died in Senate committee.

**AB 625 (Doyle).** Adds Section 101.5 to the Labor Code to prohibit charging claimant any fees for the filing or recording of any documents by the Division of Labor Law Enforcement; such fees are to be paid by the division or included in the judgment. Applies particularly to proceedings to collect wages due. Chapter 1136.

**AB 643 (Evans).** Amends Section 92 of the Labor Code to give the Labor Commissioner power to accept acknowledgments. Chapter 960.

**AB 663 (Gaffney and Berry).** Amends Section 96 of the Labor Code to permit the Labor Com-

missioner to make assignments of claims for compensation supplemental to wages. Would cover benefits due under a health and welfare fund. Chapter 478.

**AB 666 (Rosenthal).** Adds Section 272 to the Labor Code requiring an employer to post the name of the bank where he has deposited security for wages. Chapter 774.

**AB 681 (Condon).** Added Section 97.5 to the Labor Code to provide that in a court suit the facts determined by the Labor Commissioner on wages due shall constitute prima facie evidence. Died in Assembly committee.

**AB 849 (Levering et al).** As introduced, provided that an employer might obtain his permit for the emergency employment of women beyond the legal limits after instead of before employing the women. Bad bill in this form.

As enacted, gives the Governor power in cases of extreme emergency to issue a temporary permit to an employer before the complete application is processed. Continues the law permitting longer hours for defense production until after

the 1953 session. Urgency measure. As enacted, is unobjectionable. Chapter 839.

**\*AB 1318 (Crowley).** Added Section 22.6 to the Labor Code to prohibit deductions of wages of jurors. Died in Assembly committee.

**AB 2515 (Rosenthal).** As introduced, was good in amending Section 2654 of the Labor Code to strengthen industrial homework laws. As amended, it was bad. Died in Assembly committee.

**AB 2537 (Davis, Lindsay, and Parker).** Amended Section 204 of the Labor Code to provide that wages must be paid five (5) days earlier than the law now specifies. Died in Assembly committee.

**AB 3247 (Rosenthal).** Increased from \$10,000 to \$15,000 the salary of the Director of Industrial Relations. See **AB 2882.** Re-referred to Senate Committee on Finance, where it died.

### Bad Bills

**SB 1645 (Sutton).** Exempted from the maximum working hours law nurses aids in county hospitals. Died in Senate committee.

**SB 1693 (Williams).** Amended Section 204 of the Labor Code to increase by 5 days the maximum time limit for paying wages. Died in Senate committee.

## LABOR UNIONS

The Federation's biggest victory, comparable with the increased unemployment disability benefits, is the small type in which the bad bills in this section are printed. They were all defeated.

The tricky drafting in two of Clarke's "hot cargo" bills sent them to the anti-labor Assembly Committee on Agriculture, but the Federation was successful in having them re-referred to their appropriate committee, Industrial Relations, by Assembly floor action. The Industrial Relations Committee had a majority favorable to labor, although its chairman, Levering, has one of the worst labor records in the legislature. As a result, the legislature witnessed an ironical spectacle as the chairman of the Committee on Industrial Relations tried desperately to prevent referral of an industrial relations bill to his own committee.

For the first time, the Senate, too, failed to pass a "hot cargo" bill. A bill was approved by the Labor Committee, but a majority of Senators made it known informally that they were tired of having the Senate get all the blame for "hot cargo" bills, while the Assembly got credit for killing them. Thereafter, the Senate "hot cargo" bill was referred to the Senate inactive file, where it remained very inactive and died at the end of the session.

One of the most important factors in defeating this type of legislation was the strong statement

by Governor Warren opposing "hot cargo" or other bills which would disturb the existing harmonious relations between labor and management.

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 1117 (Davis).** Amended Section 923 of the Labor Code to permit collective bargaining in municipally owned public utilities. Died in Assembly committee.

**AB 2181 (George D. Collins).** Repealed the "hot cargo" and secondary boycott law, which was declared unconstitutional by the State Supreme Court in 1947. Died in Assembly committee.

**SB 524 (Dillinger).** Established a California Mediation Panel to determine the facts and make recommendations in labor disputes on the request of either party. Passage refused in Senate.

### Bad Bills

**AB 779 (Levering).** Added Section 923.5 to the Labor Code to prohibit bargaining for professional employees by



bona fide labor unions. Applied specifically to nurses, pharmacists, etc. Died in Assembly committee.

**AB 947 (Levering).** Added Sections 1020 and 1023 to the Labor Code to require labor unions to file financial statements with the Secretary of State and give a copy of their financial statements to each member. Died in Assembly committee.

**AB 989 (Levering).** Prohibited picketing dwellings. Died in Assembly committee.

**AB 1113 (Levering).** Prohibited employment of extra help in printing, even when majority of employers so desire. Died in Assembly committee.

**AB 1712 (Levering).** So-called "right to work" bill, prohibited any form of union security. Died in Assembly committee.

**AB 2921 (Clarke).** Outlawed secondary strike and secondary boycotts in labor disputes; denied labor right to peaceful picketing, free contracts, and unfair listings. Died in Assembly committee.

**AB 3223 (Clarke).** Added Chapter 8 to the Labor Code to prohibit secondary strikes and boycotts, including those affecting the self-employed and agricultural producers. Repealed existing "hot cargo" and secondary boycott law.

Withdrawn from Assembly Committee on Agriculture and re-referred to Assembly Committee on Industrial Relations, where it died.

**AB 3435 (Clarke).** "Hot cargo" bill. The introductory clauses of this bill led to its referral to the Assembly Committee on Agriculture; by floor action, the bill was re-referred to the Assembly Committee on Industrial Relations, where it died.

**SB 713 (Ward).** Increased the punishment for riot from a maximum of two years to five years and provided that both a fine and punishment might be imposed. Died in Senate committee.

**SB 1228 (Hatfield).** Repealed and reenacted "hot cargo" and secondary boycott law. Died in Senate.

**SB 1702 (Abshire).** Prohibited peaceful organizational efforts by labor unions. Died in the Senate.

## MOTOR VEHICLES

Bills marked \* were sponsored by the Federation

### Good Bills

**AB 25 (Hawkins, Rumford, et al).** Amended and increased the Insurance Code to provide that persons issuing motor vehicle liability policies required under the Financial Responsibility Act could not refuse to issue such policies to, or discriminate against persons on grounds of race or color. Provided penalties. Died in Assembly committee.

**\*AB 406 (Evans).** Required windshield wipers, heating and defrosting equipment on all streetcars and motor coaches. Died in Assembly committee, but see **AB 1619**.

**\*AB 693 (Thomas).** Added Section 685 to the Vehicle

Code to require passengers to stand behind a white line behind the driver in public streetcars, buses, etc. Died in Assembly committee. See also **AB 3157**.

**AB 1006 (Grant).** Provided for the annual inspection of lights and brakes of all motor vehicles. Died in Assembly committee. See also **SB 112**.

**AB 1015 (Luckel).** Makes confidential all reports filed under the Financial Responsibility Law, except that names and addresses may be given to persons involved in the accident, etc. Chapter 841.

**AB 1619 Fleury).** Strengthens regulations on mufflers and windshield wipers. Chapter 953.

**AB 1620 (Fleury).** Makes additional requirements on rear signal lamps and revises existing regulations. Chapter 954.

**AB 1997 (Cloyed and Niehouse).** Provides that any person who has shown ability to respond to damages for three years may be relieved of the requirement for filing proof. Chapter 955.

**AB 2513 (Dolwig).** Doubled liability for personal injury under the Financial Responsibility Law. Died in Senate committee.

**AB 2661 (Gaffney and Geo. D. Collins).** Doubled the amount of financial security required under the Financial Responsibility Law. Died in Assembly committee.

**AB 2663 (Chapel).** Increased the maximum speed limit for trucks from 40 to 50 miles per hour. Died in Senate committee.

**AB 2688 (Burkhalter, Elliott et al).** As introduced, required every parking lot attendant to have a chauffeur's license; a bad bill.

As enacted, requires every parking lot attendant who moves cars to have an operator's license; unobjectionable in this form. Chapter 1211.

**AB 3056 (Hagen and Condon).** Increases from \$1,000 to \$5,000 the liability for property damage under the Financial Responsibility Law. Chapter 1469.

**AB 3157 (Coats).** As passed by Assembly prohibited so loading an interurban bus as to obstruct use of rear view mirrors. Amended to apply only to new vehicles, but died in Senate committee.

**SB 30 (Desmond).** New act to provide for automobile liability insurance, etc. Re-referred to Senate Committee on Finance, where it died.

**SB 111 (Judah, Ward, et al).** Provides that under the Motor Vehicle Code an arrested person may be taken before a clerk or jail custodian if a magistrate is not available, and provides that such

officer may accept bail. Requires magistrates in each county to establish a bail schedule. Chapter 802.

**SB 112** (Judah, Ward, et al). Made mandatory an annual inspection of lights and brakes of all motor vehicles. Passage refused in Senate. See also **AB 1006**.

**SB 1241** (Hatfield). Provides that on October 1, 1952, the present provisions on safety valves on gasoline tank trucks shall apply to all such trucks, not just those bought after July 1, 1948. Chapter 658.

### **Bad Bills**

**AB 1613** (Gubser, Lindsay, et al). Exempted from the weight fees for commercial vehicles any farm truck not used for hire and used only occasionally on a highway. Died in Senate committee.

**AB 1998** (Cloyed and Niehouse). As introduced, removed the discretion of the court in the suspension of licenses for drunken driving and increases penalties.

As it passed the Assembly, the court's discretion was restored, and increase in penalties remained.

In the Senate, the bill was passed, reconsidered, ordered to the inactive file, then from the inactive file, and finally died in the closing rush. See also **SB 89**.

**SB 89** (Judah et al). As introduced, removed power of court to recommend that there be no license suspension upon a conviction of drunk driving, gave the Department power to modify penalties and suspensions, and made other changes.

As enacted, the court's discretion is restored in the first misdemeanor drunk driving conviction only; makes other changes. Chapter 684.

**SB 115** (Judah, Busch, et al). Provided for chemical tests for intoxication. Referred by Senate committee to interim committee.

**SB 1513** (Donnelly). As passed by Senate, provided a 25 percent reduction in fees on farm trucks of less than 6000 pounds used principally on farms. Died in Assembly committee.

## **PUBLIC HEALTH**

Bills marked \* were sponsored by the Federation

### **Good Bills**

**AB 987** (Maloney). Provided that, effective July 1, 1953, the State Department of Public Health should establish minimum standards for medical institutions. Died in Assembly committee. See **SB 129**.

**AB 1109** (Rumford, Connolly, et al). State Public Health Department bill. As introduced, strengthened and added to law to prohibit misleading advertisements on drugs and treatments

for incurable diseases. As enacted, affects drugs only, but improves existing law. Chapter 1615.

**AB 1145** (Connolly and Rumford). State Department of Public Health bill. Amends Pure Food law to make it a misdemeanor to refuse admittance to an inspector and makes other minor and technical amendments. Chapter 987.

**AB 1146** (Connolly and Rumford). State Department of Public Health bill authorizing the Department of Public Health to make regulations necessary for the enforcement of law on packaging of low acid frozen foods, and provides that violation of such law or regulations shall be subject to up to \$500 and/or six months in jail. Chapter 206.

**AB 1147** (Connolly and Rumford). Requires second-hand bottles to be sterilized, and prohibits animals in food stores. Chapter—.

**\*AB 2029** (Geo. D. Collins, Elliott). Prepaid health service system. Died in Assembly committee.

**AB 2552** (Smith). Prohibited a funeral director from giving anything to a nurse or doctor. Died in Assembly committee.

**AB 3020** (Connolly). As enacted, requires that the name and location of the manufacturer be shown on all non-alcoholic carbonated beverage containers, and requires such information and distributor's area to be filed with Department of Public Health. Chapter 533.

**SB 129** (Dillinger). Provides that after June 1953, the State Department of Public Health shall prescribe minimum standards for public medical institutions caring for the needy aged. Chapter 540.

### **Bad Bills**

**AB 2660** (Erwin). Removed present requirement that agricultural product containers must bear the name of the packer, and revised regulations on damaged or water-soaked citrus fruit. Died in Assembly committee.

**AB 2669** (Connolly). Grants to radio stations the immunity now granted to publications in connection with false advertising. Chapter 627.

## **RAILROAD EMPLOYEES**

### **Good Bills**

**AB 173** (Maloney). Provided for hospitalization for employees of the State Belt Railroad in San Francisco. Died in Assembly committee.

**AB 2539 (Davis, Lindsay, and Parker).** Amended Sections 6901 and 6903 of the Labor Code to require one engineer and one fireman on each diesel electric locomotive and to require an additional helper on certain self-propelled cars. Died in Assembly committee.

**AB 2541 (Davis, Lindsay, et al).** Provided that a railroad may only discontinue or decrease any service after a public hearing. Died in Assembly committee.

**SB 616 (James E. Cunningham).** Provides that no railroad conductor or engineer shall be subject to criminal penalty for obstructing a crossing where he has no control of equipment or

where the movement of equipment would endanger safety of passengers or freight. Chapter 648.

### Bad Bills

**AB 2888 (Evans).** Prohibited any activity to prevent trains from running. Died in Assembly committee.

**AB 3315 (Erwin).** Added Section 103 to the Labor Code to deny jurisdiction to the Division of Labor Law Enforcement (wages due, etc.) on any dispute between an employer and an employee subject to the Railroad Labor Act. Died in Assembly committee.

**SB 1709 (Ward).** Repealed Section 6903 of the Labor Code which specifies number of engineers, etc. required on railroad trains. Died in Senate committee.

## SCHOOLS

The 1951 legislature made no innovations of any consequence on state aid to schools; the Governor's budget provided for an increase of only 3.5 percent over 1950-51 levels, and the final appropriation amounted to an increase of only 5.6 percent, or \$13,500,000. At one time the Assembly approved additional aid of \$48,000,000, but the Governor stated he would veto such an appropriation as, according to his figures, it exceeded the state's surplus fund. While the Federation favored higher aid, and would have supported certain types of taxes for such aid, it was definitely opposed to the regressive 2 and 3 cents a package cigarette tax.

### Good Bills

**\*AB 1567 (Porter and Dills).** As introduced, made private, for profit, trade schools subject to the State Board of Education. As amended, applied only to trade or craft schools, excluding business schools and those subject to the Department of Education or Professional and Vocational Standards. Died in Assembly Committee on Ways and Means.

**AB 1985 (Dunn, Geddes and Porter).** As introduced, apportioned state support for schools on basis of current a.d.a., increased basic state aid from \$90 to \$97 per a.d.a. and made other changes at an estimated additional cost of around \$50,000,000.

A bad amendment to provide for a 3-cent cigarette tax was defeated in committee. It was approved by the Assembly Ways and Means Committee, but not the Revenue and Taxation Committee. The tax feature was also opposed by the Federation and by Governor Warren.

As passed by the Assembly, **AB 1985** increased school aid by \$48,000,000, but provided no means for raising such funds so that Governor Warren stated he would veto the bill. The Assembly version increased basic state aid from \$90 to \$100 a.d.a., with added funds for needy districts, put

apportionments on a current attendance basis (instead of the enrollment of the previous year), and provided more money for transportation.

As passed by the Senate and approved by the Governor, **AB 1985** provides \$13,500,000 additional aid for excess growth, transportation and expanded school programs, but does not make an increase in basic state aid. Chapter 1259.

**AB 2061 (Kirkwood, Dunn, et al).** As passed by the Assembly, put school apportionments on a current basis, and increased bus transportation at a cost of about \$7,500,000.

As amended and passed by the Senate, was similar to the Senate version of **AB 1985**. Since **AB 1985** was cleared to the Governor, **AB 2061** died in conference.

**AB 2176 (Sam L. Collins).** Provides that a majority of qualified voters, rather than a majority of the heads of families, may petition for an election to annex a school district. Chapter 57.

**AB 2188 (Beck).** Placed private schools under the Board of Education, except religious schools or those already regulated by law. Died in Assembly committee.

**AB 2249 (Burke).** As enacted, permits school districts, by election, to set permanent tax rates above the present statutory limits; also permits decreases of tax rates now above the legal maximum down to the maximum but no further. This will facilitate obtaining additional revenue for schools locally, instead of from the state. Chapter 1647.

**AB 3383 (Waters by request of Gaffney et al).**

Exempts from property taxes the physical plant used for school purposes of parochial and other nonprofit private schools of below college grade. Chapter 242.

This bill is now the subject of a referendum which is opposed by the Federation.

**AB 3389 (Grant by request of Babbage et al).** Authorizes programs and classes in outdoor science and conservation education, including trips within a radius of 180 miles; cannot be part of an adult education program. Chapter 1008.

### Bad Bills

**AB 1705 (Moss and Fleury).** Provides that a majority of registered voters, rather than voters, may petition for the formation of a school district,

but prohibits petitions after December 15 of any fiscal year. Guards against false signatures on petition. Chapter 919.

**AB 1984 (Dunn).** Increased state school apportionments (a good purpose), but levied a tax of 2 cents per package on cigarettes. Died in Assembly committee.

**AB 2951 (Chapel).** Limited political campaign literature in schools to the official ballot pamphlet describing initiative, etc. measures. Died in Assembly committee.

**SB 509 (Abshire).** Provided for the continued use of abandoned school buildings without personal liability to the members of the school board when school district cannot afford new building. Vetoes by the Governor.

**SB 1510 (Donnelly).** Provided that only the official pamphlet describing issues on the ballot may be distributed as political literature in the schools. Died in Senate committee.

## SOCIAL WELFARE

No significant changes in the social welfare or public assistance programs were made by the legislature; major improvements, such as aid to the needy permanently and totally disabled and an expanded mental health program were refused passage. Bills enacted generally restricted payment of benefits to certain fringe groups, such as persons who had left the state, or denial of aid on behalf of an unborn child. The aid to needy children program was under particular attack due to the liberalization of the program at the 1949 session.

The legislature failed to act on the old age referendum submitted to it and the measure will accordingly go on the ballot. It provides for cost of living increases in aged pensions, elimination of relatives' responsibility, and straight state financing and administration.

The form of this report requires a division of bills into "good" and "bad," yet the social welfare bills actually enacted, were for the most part neither very good nor very bad, and were frequently a compromise among groups interested.

### General

#### Good Bills

**AB 1204 (Connolly, Maloney, et al).** Part of the Governor's mental health program. Establishes two state research centers for alcoholism. Assembly amendment provided for tax of 85 cents per wine gallon on distilled spirits to finance program. Tax deleted, and later whole measure died in Senate committee.

**AB 1216 (Maloney, Niehouse, et al).** Program of aid to the needy permanently and totally disabled, made possible by the federal Social Security Act Amendments of 1950. Provided aid of \$75 a month. Appropriated \$6,022,000. Killed in the Assembly.

**AB 1312 (Elliott).** Provided that the minimum wages for county relief work should be \$1 an hour, and prohi-

bited camps for indigents. By Assembly amendment, required prevailing rate of pay for such work. Died in Assembly committee.

**AB 1531 (Gubser and Kirkwood).** Increases from \$60 to \$70 per month the aid for certified private home care of the mentally ill on leave from state hospitals, and provides for certification of private homes caring for six or less patients. Urgency measure. Chapter 1115.

**AB 1689 (Kirkwood, Hansen et al).** As passed by the Assembly, provided state aid to counties for care of mentally ill and appropriated \$558,530. Died in Senate committee.

**AB 2064 (Kirkwood and Tomlinson).** Appropriated \$1,000,000 to assist counties in constructing facilities for the care of the aged who are chronically ill. Died in Senate Committee on Finance.

**AB 2343 (Kilpatrick and Munnell).** Provided for cost of living increases in public assistance programs. Amended to apply to aged and blind aid only. Died in Assembly committee.

**AB 3345 (Dunn, Niehouse et al).** Established a State Rehabilitation Center, appropriated \$4 million, and provided \$520 per a.d.a. per year for education of physically handicapped children and adults.

As passed by Assembly, appropriated \$80,000 to prepare plans, etc. for a State Rehabilitation Center. Died in Senate committee.

**SB 1478 (Miller).** Provided for an advisory council on

the affairs of the handicapped which shall include labor representation. Died in Senate committee.

### **Bad Bills**

**AB 2559 (Levering).** Provided that the budget for the Department of Social Welfare should be as fixed by the legislature, and thus removed the right to increase the budget due to an unexpected increase in case load. Died in Assembly committee.

**SB 228 (Weybret, Brown, et al).** Amends Section 3045 of Welfare and Institutions Code to provide that a person who is receiving aid for the blind cannot also receive aid for needy children. Chapter 1343.

**SB 1586 (Weybret, Brown, et al).** As introduced was bad: repealed liberal construction clause in public assistance laws and enacted new clause to provide for administration consistent with safety of public funds. As amended and enacted, requires fair administration consistent with needs of applicants and a safeguarding of public funds; liberal construction clause remains. Bill is unobjectionable in this form, but see **SB 946, SOCIAL WELFARE, Children.** Chapter 1548.

**SB 1587 (Weybret et al).** As enacted, amends the public assistance laws to speed denial of aid to a person who has moved from California. Chapter 1095.

**SB 1634 (Weybret, Brown et al).** As amended, made uniform disqualifications for all applicants for public assistance; for aged and blind, permissible holdings of personal property were cut in half and holdings of real property were cut from \$3500 to \$3000. Died in Assembly committee. See **SB 952, SOCIAL WELFARE, Children.**

**SCA 10 (Dilworth).** Provided that county property taxes could not be increased without the approval of the voters. Prevented the legislature from requiring counties to pay more than \$4.00 per month for any kind of public assistance. Died in Senate committee.

## **Aged and Blind Aid**

### **Good Bills**

**AB 443 (Crowley).** Amended the aid to needy blind law to increase the amount of personal property which an applicant may have from \$1,200 to \$1,500. Repealed the present provision which denies aid to a couple jointly owning property valued at over \$2,000. Died in Assembly Ways and Means Committee.

**AB 445 (Crowley).** Amends the aid to the needy blind law to provide that aid to the blind shall be considered income for the blind recipient only, and shall not be considered income for any

other person. Department of Social Welfare to enforce. Chapter 1097.

**AB 668 (Mrs. Niehouse).** Amended the aid to the partially self-supporting blind law to increase the aid from \$85 to \$95 a month, and to increase the state's share from five-sixths to nine-tenths. Died in Assembly Committee on Ways and Means.

**AB 669 (Mrs. Niehouse).** Amended the aid to the blind law to increase aid from \$85 to \$95 a month and to increase the state's share of aid to the totally dependent blind from three-fourths to five-sixths. Died in Assembly Committee on Way and Means.

**AB 2201 (Elliott).** Amended the aid to aged law to grant aid to those 63 years and over. Died in Assembly committee.

**AB 2202 (Elliott).** Amended the aid to the aged law to increase aid from \$75 to \$85, with further increases or decreases between \$95 and \$85 dependent upon changes in U.S. contribution. Died in Assembly committee.

**AB 2203 (Elliott).** Repealed relatives' responsibility in aid to the aged and blind law. Re-referred to Assembly Committee on Ways and Means, where it died.

**AB 3172 (Elliott).** Amended the aid to the aged law to permit responsible relatives to deduct taxes and medical expenses before determining their contributions to the aged applicant. Re-referred to Assembly committee on Ways and Means, where it died.

**AB 3423 (Lincoln).** As introduced, amended the aid to the aged law to provide for \$10 a month in cash to aged persons in institutions. The Senate added that such payments should only be made when the federal law or regulation permits grants in aid for this purpose. As the federal law probably does not permit such payments, the bill as enacted is practically meaningless. Chapter 1719.

**SB 523 (Dillinger).** Amended the aid to needy blind law to repeal the sections providing for the enforcement of relatives' responsibility. Died in Senate committee.

**SB 1005 (Dillinger).** Amended the aid to the partially self-supporting blind law to increase aid from \$85 to \$95. Died in Senate committee.

**SB 1006 (Dillinger).** Amended the aid to the blind and partially self-supporting blind law to provide that contributions from responsible relatives shall be in addition to the maximum amount of aid payable by the government. Died in Senate committee.

**SB 1735 (Donnelly).** Amended the aid to aged law to increase aid in accordance with the cost of living. Died in Senate committee.

### **Bad Bills**

**AB 255 (Levering).** Amends the aid to the aged law to provide that when a beneficiary dies and leaves income or property which during his



lifetime would have disqualified him from aid, it shall be presumed that he possessed such property and income since the date of his application for aid. As a result, the heirs of the beneficiary will be required to refund to the Department of Social Welfare double the amount of aid which the beneficiary received during his lifetime. However, if it can be proved that the beneficiary was "honestly" unaware that he was ineligible for aid, the heirs need repay only the amount of aid which the beneficiary received. Collections may not exceed the market value of the excess property. Chapter 469.

**AB 2196 (Levering).** Amends the aged and blind laws to provide that when a county hospital is receiving funds for the care of a needy person, and that person leaves and then reenters the hospital within 10 days, during which the recipient has received no aid due to administrative delays, then the county (not the recipient) shall be entitled to reimbursement for the 10 days during which the recipient was absent from the hospital. Chapter 1462.

**SB 585 (Weybret, Collier, et al).** Amended the aged and blind aid laws to give a county prior claim on estates of former recipients of aid. Required clearing small estates of persons over 65 with the county welfare director. Died in Assembly committee.

**SB 1004 (Dillinger).** Good as introduced; increased aid to the needy blind from \$85 to \$95.

Bad as enacted; provides that changes in aid to the blind of \$2 or less need not be made for two months. Such changes will mostly be increases due to increased cost of the budget on which aid is based. Chapter 1268. See also **SB 1444**.

**SB 1444 (Jespersion).** Good as introduced; amended aid to aged law to give aged free choice in spending aid and provided that such aid shall be the recipient's income only.

Bad as enacted; same as **SB 1004**, but applies to the aged. Chapter 1293.

## Children

### Good Bills

**AB 352 (Niehouse, Burkhalter, et al).** Amends the aid to needy children law to reduce the period of investigation of a claim from 90 to 60 days, and provides that aid be given from the first day of the month from which eligibility is established.

Under the present law, aid is due only at the end of the 90-day investigation period. Chapter 90.

**AB 815 (Niehouse, Burkhalter, et al).** Amended the aid to needy children law to repeal the one-year county residence requirement. Died in Assembly committee.

**AB 853 (Rosenthal and Brown).** Amends the aid to needy children law to make an unadoptable child in the care of an adoption agency eligible for aid. A bad Senate addition denies aid to a child in need during the first three months of parental separation or desertion. Chapter 1699.

**SB 953 (Hulse, Burns, et al).** Amends the aid to needy children law to permit payments in kind when cash aid is misused. While labor has generally opposed any payments in kind under any public assistance program, the present exception appears justified. Chapter 1400.

**SB 956 (Hulse, Burns, et al).** Amends aid to needy children law to provide that real property owned but not occupied shall be considered in the granting of aid, if the property is available for sale. Chapter 559.

### Bad Bills

**AB 241 (McCollister).** Amended the aid to needy children law to provide that a child should be eligible for aid only when its father has been absent from home for a period of a year or more. The present law merely requires that the father be absent. Further provided that an unborn child could not be considered a needy child; this meant that pregnant mothers could not obtain aid under the aid to needy children law merely on the basis of pregnancy. Died in Assembly committee.

**AB 3059 (Hagen).** Amended the aid to needy children law to increase the residence requirement from one to three years for the child and his parents. Children born in California would still be eligible, however. Died in Assembly committee.

**SB 945 (Hulse, Burns, et al).** As introduced, amended the aid to needy children law to prohibit aid on behalf of an unborn child and to deny aid on behalf of a child whose parent is voluntarily absent for less than six months, or whose parent is not permanently and totally incapacitated.

As enacted, denies aid on behalf of an unborn child and on behalf of a child deprived of parental support because of separation or desertion, if the period of absence is less than three months. Chapter 884.

**SB 946 (Hulse et al).** As introduced, amended the aid to needy children law to deny aid to a child whose parents refuse to accept suitable employment and also repealed the liberal construction requirement.

As enacted, urges that parents be encouraged to maintain themselves, and excludes from the

personal property limit items used to assist in self-support. Repeals liberal construction requirement. The repeal of the liberal construction clause in the aid to needy children law is the truly objectional feature of this bill. Chapter 725.

**SB 949 (Hulse, Burns, et al).** As enacted, continues present level of aid to needy children when three or fewer children are in the home, but makes sharp cuts in larger families; in a family of 5 children, aid is cut from \$297 to \$261, and in a family of 15, from \$777 to \$339; provides that aid for each child in an institution shall be \$60, instead of \$72 for the first child and \$36 for the second and subsequent children; specifies general standards of budget to be used in granting aid, including maximum limits in the "miscellaneous" budget; permits semi-annual revision of the

budget; allows counties two months in which to put new budgets into effect, and disregards changes of less than \$2 per month. Chapter 1533.

**SB 951 (Hulse et al).** As enacted, provides that aid to needy children may be discontinued if the parent refuses to accept employment or rehabilitation treatment when treatment is practical. Exempts rehabilitation tools and equipment from the personal property limit. This requirement would be reasonable, except that it penalizes a child for his parent's failures. Chapter 726.

**SB 952 (Hulse, Burns, et al).** Amends the aid to needy children law to reduce the amount of personal property, cash and securities which a child or his parents may have and still be eligible for aid by eliminating right to have up to \$1000 in a life insurance policy. Chapter 708.

## STATE, COUNTY AND MUNICIPAL EMPLOYEES

The principal development in this field is a rather parsimonious 10 percent pay increase for state employees, the first since September\*, 1948, when a 5 percent increase was granted.

Bills marked \* were sponsored by the Federation

### Good Bills

**AB 20 (Fleury and Moss).** Extends provision for lump sum payment for unused vacation and compensating time off upon separation from state service to state personnel generally, rather than only to those who are separated under State Civil Service Act. Chapter 1067.

**AB 38 (Sherwin).** As passed by the Assembly, appropriated \$7,087,000 to be used in increasing salaries of state employees. As passed by Senate, appropriates \$3,679,652, amounting to about a 5 percent increase. Chapter 5. See also **AB 500**.

**\*AB 280 (Moss and Fleury).** Amended the Government Code to provide that state employees who work overtime shall receive either time and one-half pay or time and one-half compensating time off. Died in Assembly committee.

**\*AB 485 (Cooke and Burkhalter).** Added Section 301 to the Labor Code to provide that state and local employees may authorize deductions from their wages to be paid to a bona fide labor organization for life, retirement or disability insurance. Re-referred to Senate Committee on Finance, where it died.

**AB 500 (Sherwin).** 1951-52 Budget. Included \$7,250,000 for increases for state employees beginning July 1, 1951. The increase is not across-the-board, but is applied in varying degrees to different job classifications. On the average, it

amounts to about 5 percent; this is in addition to the increase granted in **AB 38**, so that state employees' salaries were, on the average, increased about 10 percent between December 1950 and July 1951. Chapter 1020.

**\*AB 655 (Brady).** Amended Section 1771 of the Labor Code to provide that public maintenance work be done at the prevailing rate in private industry. Died in Assembly committee.

**AB 671 (Mrs. Niehouse).** Makes the military leave and 30 days' leave with pay provisions of the Veterans Code clearly applicable to all public employees, both state and local, and makes such provisions permanent. Urgency measure. Chapter 1561.

**\*AB 841 (Hagen).** As introduced, provided that a claim for damages against the state or its subdivisions no longer exists against any employee if the claimant does not make a written claim within the time specified.

As enacted in the Assembly, added to the above, that whenever a claim arises against a local government employee driving a public vehicle, the time for filing such claim shall be the same as in claims against private persons. Pocket-vetoed. See **SB 693**.

**\*AB 958 (Burkhalter).** Provided that every city employee who has worked more than 39 hours a week is en-

titled to certain time off for meals. Present law only applies to city employees working 120 hours a week. Died in Assembly committee. See also **AB 2077**.

**AB 1025 (Hawkins)**. Provided six months' leave of absence without pay to state employees who become pregnant. Died in Assembly committee.

This provision was also presented as an amendment from the floor to **AB 3022**, and was refused by the Assembly.

**AB 1243 (Stewart)**. Makes state employees eligible for sick and vacation leave after six months' service, and makes such leave available on a monthly accrual basis. Provides such leave for part-time employees. Chapter 926.

**AB 1810 (Geo. D. Collins, Brady, et al)**. Authorizes community redevelopment agencies to pay benefits on behalf of their employees. Chapter 619.

**\*AB 2077 (Burkhalter)**. As introduced, reduced from 120 to 39 the number of hours which entitled a public employee to time off for meals.

As passed by the Assembly, required time off for meals for every city employee working 72 hours or more a week. Died in Senate committee.

**AB 2882 (Caldecott, Moss et al)**. As enacted, increases salaries of various state officers, including the following:

	Old	New
California Unemployment Insurance Appeals Board members .....	\$12,000	\$14,000
Director of Industrial Relations .....	10,000	12,000
Industrial Accident Commission members .....	10,000	11,000
Labor Commissioner .....	7,200	11,000
	(minimum)	
Chief Division of Industrial Safety .....	7,200	10,000
	(minimum)	
Chief Division of Industrial Welfare .....	7,200	10,000
	(minimum)	
Chief Division of Housing ....	7,200	10,000
	(minimum)	

Chapter 1613.

**AB 3060 (Moss and Fleury)**. Facilitates the reemployment of state employees who have been laid off due to technological change. Chapter 1001.

**SB 23 (Mayo)**. Permits increasing the salary of an elected officer during his term of office

during the war emergency. Chapter 127. See also **SB 1117**.

**SB 331 (James E. Cunningham, McCarthy et al)**. Gives civil service rights to veterans of the Korean War. Chapter 270.

**SB 609 (Desmond)**. In disciplinary proceedings for state civil service employees, removed the presumption that the statement of causes is true. Died in Assembly committee.

**\*SB 693 (O'Gara)**. Adds Section 2003 to the Government Code to prohibit a suit against an employee when no proper claim is filed against the governmental agency. Chapter 1630. See also **\*AB 841**.

**SB 905 (Hulse)**. Permits pay roll deductions for public employees for group, life, accident, health and disability insurance. Chapter 1631.

**SB 1117 (Regan)**. Permits increasing the salary of city and county officers during their term of office during emergency. Chapter 1370. See also **SB 23**.

### Bad Bills

**AB 651 (Moss and Fleury)**. Eliminated the provisions in state civil service for dividing classes into grades. Died in Assembly committee.

**AB 2490 (Conrad)**. Provided that the list of registered voters may be published by means other than printing. Died in Assembly committee.

**AB 2931 (Lincoln)**. Authorizes check-off of dues by public employees to a company union. Chapter 1468.

**AB 3015 (Silliman)**. Prohibited retroactive pay increase in state civil service. Died in Assembly committee.

**SB 907 (Gibson)**. As introduced, prohibited the purchase of any printing or duplicating machinery without the approval of the State Printer.

As enacted, prohibited such purchases, except for instructional purposes at the California State Polytechnic College, and prohibited use of any such machinery in competition with private industry.

Also required a new system of pricing, similar to that in private industry, to be used by the State Printer. Pocket-vetoed.

**SCA 9 (Gibson, May and Weybret)**. Permitted the state to contract with private printing establishments for state printing. Died in Assembly committee.

**SCA 11 (Donnelly, Tenney, et al)**. Increased the number of confidential employees exempt from civil service. Died in Assembly committee.

## Retirement

### Good Bills

**AB 26 (Hinckley and Shaw).** Permits increases in county pensions for persons retired prior to October 1, 1949, if the county so elects. Chapter 200.

**AB 636 (Evans).** Liberalizes the law concerning payment of death benefits to survivors of county employees in cases of death before retirement. Chapter 571.

**AB 638 (Evans).** As amended, continues until December 31, 1951, the right of county employees to repay contributions due as a result of a break in service. Chapter 573.

**AB 640 (Evans).** Provides that the death benefit of county employees may be paid monthly over a ten-year period. Chapter 575.

**AB 642 (Evans).** Increases the service retirement allowance in Los Angeles county, and possibly other large counties, by 15 percent, and maximum allowance from  $\frac{1}{2}$  to 65 percent of member's final compensation; makes other changes. Chapter 577.

**AB 742 (Evans).** Increases the minimum county retirement pension from \$900 to \$1200 upon reaching compulsory retirement age; Los Angeles county employees must have 15 years of

service and reached compulsory retirement age to obtain the minimum \$1200. Chapter 578.

**AB 1626 (Fleury).** Increased minimum retirement allowances for state employees from \$720 to \$1,200, and made such increase optional for local employees. Died in Assembly committee.

**AB 1629 (Fleury).** Made it possible for contracting agency to increase death benefit from \$300 to \$500 under State Employees' Retirement System. Died in Assembly committee.

**AB 2730 (Fleury and Moss).** Provided that an employee who voluntarily makes excess contributions to the State Employees' Retirement Fund may withdraw the excess contributions with interest at will. Vetoed.

**AB 2791 (Evans).** Permits Los Angeles county employees retired during part of 1949 to recalculate their benefits to obtain increases. Chapter 249.

### Bad Bills

**AB 641 (Evans).** Provides that the employees of a public employees' association or labor organization may be covered by the county retirement system. However, the organization must include in its membership at least one-half of the total eligible employees. Chapter 576.

**AB 2773 (Morris).** Proposed a new local public employees retirement system, in which employee contributions are limited to 4 percent and the minimum benefit after 10 years of service is \$75. Died in Assembly committee.

## TAXES

One of the greatest weaknesses of the 1951 legislature was its refusal to face the tax problem realistically and liberally. Governor Warren's budget message probably set the keynote in recommending no new taxes. Yet new social programs or improvement in existing ones are limited without added revenue. Only the proposed cigarette tax received consideration, and such a tax has always been opposed by labor as a regressive consumer tax. Basic improvements in the income tax received no consideration at all, while a measure to limit federal income taxes to 25 percent was killed in the Senate.

Some tax measures are also discussed under SCHOOLS, SOCIAL WELFARE, FISHING, MOTOR VEHICLES, VETERANS.

### Good Bills

**AB 434 (Sherwin).** Amends the personal income tax law to make false information on an income tax return subject to the penalty of perjury. Chapter 369.

### AB 500 (Sherwin). 1952 Budget.

As submitted by the Governor, the budget called for an expenditure of \$1,016,883,000, about \$75,828,000 less than the revised estimates for the 1950-51 fiscal year. One of the major cuts was a reduction of \$125,000,000 in construction below the 1950-51 year. State operations were upped \$49,000,000 and local governmental assistance \$14,000,000. No new or increased taxes were recommended.

As passed by the Senate, the budget amounted to \$1,035,000,000, including a \$15,000,000 increase in the capital outlay expenditures and a cut of \$1,800,000 in the Department of Mental Hygiene's budget; other changes were also made.

Assembly and free conference action resulted in a final budget of \$1,034,386,240, with \$208,292 restored to the budget of the Department of Mental Hygiene; in addition, \$500,000 in frozen civil defense funds were freed, and \$750,000 was eliminated for final plans of the Richmond-San Rafael northern San Francisco Bay Bridge. Chapter 1020.

**AB 2249 (Burke).** School district excess tax rates. See SCHOOLS.

**AB 3383 (Waters).** Private and parochial school property tax exemption. See SCHOOLS.

**SB 895 and SB 921 (Hulse).** Amends the bank, corporation, and personal income tax laws to prohibit deductions to persons engaging in illegal activities. Chapters 231 and 232.

**SB 1818 (Kraft).** Exempted drug prescriptions from the sales tax. Vetoed.

### Bad Bills

**AB 1984 and AB 1985 (Dunn).** Cigarette tax for school support. See SCHOOLS.

**AB 2786 (Hollibaugh).** Provided a 3 percent discount to retailers who turn in their sales tax collections on time. Died in Assembly committee.

**AB 2848 (Rosenthal).** Levied a 15 percent tax on tobacco products; tax assessed against the first distributor or wholesaler. Died in Assembly committee. See also **AB 2849**.

**AB 2849 (Lindsay).** Levied a tax on cigarettes of from 2 to 2½ cents per package; somewhat lower rates than **AB 2848**. Died in Assembly committee.

**AB 2934 (Geddes).** Provided that any increase in local public expenditures or property tax must be approved by a ⅔ vote of the legislative body. Died in Assembly committee.

**ACA 27 (Geo. D. Collins, Gaffney, et al).** Provided that every action by a municipal legislative body should be presumed to deal with municipal affairs (and hence might not be overruled by the legislature; would permit unlimited city excise taxes, etc.). Similar to **SCA 13**. Died in Assembly committee.

**ACA 41 (Rosenthal, Rumford, et al).** Cigarette tax for veterans' bonus. See VETERANS.

**SB 176 (Ward).** Exempts from state income tax any resident, with permanent home in the state, who spends less than 9 months in state. Chapter 191.

**SB 510 (Breed).** Increased state sales tax from 3 to 4 percent, with the increase to be divided between the cities and counties. Died in Senate committee.

**SB 511 (Breed).** Authorized the counties to levy a 1 percent sales tax. Died in Senate committee.

**SB 551 (Ward).** As enacted increases the income tax exemption for certain trusts from \$100 to \$200. Chapter 462.

**SB 1500 (Breed).** Exempted money from taxation; affects taxes on banks. Died in Senate committee.

**SCA 13 (O'Gara).** Provided that every action by a municipal legislative body should be presumed to deal with municipal affairs (and hence might not be overruled by the legislature; would permit unlimited city excise taxes, etc.). Similar to **ACA 27**. Died in Senate committee.

**SJR 10 (Desmond and Tenney).** Requested a federal constitutional amendment to limit income taxes to under 25 percent. Killed in Senate.

## TEACHERS AND OTHER SCHOOL EMPLOYEES

About 6000 teachers will gain wage increases as a result of the increase in minimum pay from \$2500 to \$3000. Another benefit gained was the removal of the limit on the maximum salary used in computing retirement contributions and benefits under both the State Teachers Retirement System and district systems. The effective date of both these benefits is postponed until July, 1952.

The restrictive attitude of the legislation with regard to teachers is well shown in the fate of the Federation's bill for a duty-free lunch hour for teachers. The Assembly cut the bill to 40 minutes in the larger schools; the Senate cut the time to 30 minutes and then killed the bill anyway. Two other Federation bills, \***AB 656** on tenure, and \***AB 1577** prohibiting discharge except for cause for probationary employees, died in Assembly committee.

Bills marked \* were sponsored by the Federation

### Good Bills

**AB 166 (Beck).** Amends Education Code to provide death benefits for employees covered by a school district retirement system who are killed in military service similar to those provided under the State Teachers' and State Employees' Retirement Systems. Chapter 141.

**AB 167 (Beck).** Permits employer school district retirement contributions for Korean war servicemen, and increases the maximum base upon



which benefits are computed from \$6,000 to \$10,000. Chapter 111.

**AB 169 (Beck).** Provides that cafeteria employees of a school district which adopts a retirement plan shall receive full credit for prior service. Chapter 89.

**\*AB 656 (Brady).** Made tenure provisions for teachers in the state uniform, but continued special provisions for districts over 60,000 a.d.a. At present, districts under 850 a.d.a. are not covered by mandatory tenure laws. Bill was opposed by the California Teachers Association. Died in Assembly committee.

**\*AB 1151 (Porter, Dunn and Hollibaugh).** As introduced, provided duty-free mid-day lunch hour for teachers.

As amended in Assembly, provided 40 minutes duty-free lunch period for regular fulltime teachers in schools having two or more teachers.

As amended in Senate, provided 30 minutes for such teachers. Killed in Senate.

**AB 1562 (Geddes and Dunn).** Increases pay of fully certified teachers from \$2400 to \$3000; emergency or provisional certified teachers may be paid \$2400. By Senate amendments, increase is not effective until July 1, 1952. Chapter 1157.

**\*AB 1577 (Porter).** As introduced, prohibited discharge of probationary employees except for cause. Completely amended, without consultation with Federation, and is of no interest as enacted.

**AB 1586 (Porter).** Provides for successive provisional appointments for non-teaching school employees, due to manpower shortage. Chapter 517.

**AB 1587 (Porter).** Allows successive 90-day temporary appointments without acquisition of permanent status for school district non-certificated employees, and makes other changes. Chapter 518.

**\*AB 1929 (Hahn).** Liberalized payment of death benefits under the State Teachers' Retirement System. Died in Assembly committee.

**AB 2310 (Niehouse).** Permits vacations with pay for non certificated school employees. Chapter 679.

**AB 2570 (Lipscomb).** Provides that a layoff within 39 months after the end of a war, due to decreased enrollment because of the cessation of the war, shall not count as a break in service for probationary employees. Chapter 1385.

**AB 2571 (Lipscomb).** Provides that a probationary certificated employee in military or Red

Cross service, who is laid off because of reduced attendance because of war conditions, shall not be adversely affected in his classification or retirement status by such lay-off. Applies particularly to veterans. Chapter 1386.

**AB 2904 (Gaffney and Geo. D. Collins).** As refused passage by the Assembly, decreased from \$50 to \$25 the retirement benefit to retired teachers from the Permanent Fund, but provided that such retired teachers should receive a retirement allowance of not less than \$85 a month; under present law, the minimum is \$50. Applied particularly to teachers outside of Los Angeles, San Diego and San Francisco. Killed in the Assembly.

**AB 3198 (Condon).** As enacted, provides that after July 1, 1952, the full salary, rather than the first \$5,000, shall be used in computing contributions and benefits under the State Teachers Retirement System. Chapter 1504.

**AB 3199 (Condon).** As enacted, eliminates the \$6,000 maximum on salary which can be used in computing district retirement benefits. Amends cafeteria school employees' retirement provisions enacted in **AB 169**, Chapter 89. Provides for retirement benefits for employee working partly for student body and partly for school district. Chapter 992.

**SB 284 (Thompson and Byrne).** Provides that state college employees who are laid off shall be given a lump sum to cover their accumulated vacation and compensatory time off. Chapter 1011.

**SB 402 (Dilworth).** Provides that there shall be deducted from the death benefit payable by the State Teachers' Retirement System, in the case of a local retirement system member, an amount equal to the death benefit payable by the local retirement system provided from contributions of the school district operating the local system. Further guarantees to person retiring under a local retirement system an amount equal to the benefit he would have received from the State Teachers' Retirement System alone, had he not been a member of the local retirement system. Chapter 194.

**SB 752 (Donnelly).** Permits increasing the rate of pay for teachers at any time. Urgency measure. Chapter 79.

**SB 1424 (Byrne).** Provides that any teacher who works full time shall be paid as full time employee, regardless of the length of the school year. Chapter 199.

**SB 1492 (O'Gara).** Provides for six months' leave of absence with full pay (or one year at half pay) for assistant professors or higher, who have been employed 6 years or more at state colleges, for study or self-improvement approved by Director of Education. Chapter 1688.

**SB 1508 (Miller).** Provided that school employees might

receive automatic increases, such as monthly cost of living increases, etc. Died in Senate committee.

**SCA 19 (Miller).** Permitted automatic pay increases for any and all school employees. Died in Assembly committee.

### **Bad Bills**

**AB 3185 (Kirkwood).** Repealed present limits on dismissing probationary employees in districts of over 60,000 a.d.a. for cause only. Died in Assembly committee.

## UNEMPLOYMENT INSURANCE

The record on unemployment insurance was very unsatisfactory. Only two good bills, both minor, were passed. Not a single Federation bill got out of committee, while three major bad bills received serious consideration.

Of these three, **AB 2501** which would have disqualified seasonal and other workers numbering 12.8 percent of the persons filing claims in 1950, was ultimately beaten by a close vote on the Assembly floor.

Another bad bill, **AB 1715**, would have disqualified a woman who left her employment for marital or domestic reasons until she had earned \$100 in subsequent employment. The Federation requested and the Governor, we are happy to report, did pocket-veto this bill.

However, the third major bad bill, **AB 2502**, was signed by him. It prohibits using earnings in the lag quarter to compute benefits for a second benefit year. The conservative estimates of the Department of Employment show that, on the basis of 1950 experience, at a very minimum, 5.5 percent of the claimants will be found ineligible and total benefits will be reduced by at least \$10.6 million, or 6.1 percent. The amendment will have still more serious effects during periods of prolonged unemployment.

All law section references below are to the California Unemployment Insurance Act, unless otherwise indicated.

### **Good Bills**

Bills marked \* were sponsored by the Federation

**AB 51 (Geddes and Morris).** Amends Sections 7 and 11 to make technical amendments to conform to the federal Social Security Amendments Act of 1950 (HR 6000). Chapter 17.

**AB 104 (Luckel, Niehouse, et al).** Includes as a trainee, for preservation of benefit rights, any person who entered military service after June 1, 1950 and whose service has terminated on or before July 1, 1953. Chapter 169.

**AB 211 (Maloney).** Amended Section 44.2 of the Unemployment Insurance Act to provide that claims for

the refund of overpaid disability contributions by an employee might be filed up to a year after the close of the calendar year in which the tax was paid if good cause for such a late filing was shown. The present law provides that such claims must be filed within six months. Died in Assembly committee.

**\*AB 375 (Dunn).** Amended Section 54 to increase the maximum benefit from \$25 to \$40. The ratio of benefits to earnings was also increased for persons earning over \$400 in the highest quarter. Died in Assembly committee.

**\*AB 376 (Dunn).** Amended Section 7 to extend coverage to employees of non-profit organizations. Died in Assembly committee.

**\*AB 377 (Dunn).** Amended Section 7 to extend coverage to agricultural labor. Died in Assembly committee.

**\*AB 378 (Dunn).** Amended Section 7 to extend coverage to those domestic servants now covered by the Federal Old Age Survivors Insurance Act. Died in Assembly committee.

**\*AB 379 (Dunn).** Added Section 54.1 to provide dependency benefits of \$5 for a wife (or husband) and \$2.50 for each of the first two dependent children. Died in Assembly committee.

**\*AB 391 (Condon).** Amended Section 57 to eliminate the present requirement that an individual must actively seek work in his own behalf. Died in Assembly committee.

**\*AB 392 (Condon).** Amended Section 1 and Section 57 to eliminate the provision requiring that an applicant actively seek work in his own behalf. Died in Assembly committee.

**\*AB 393 (Condon).** Amended Section 1 to eliminate the provision requiring that an applicant actively seek work in his own behalf. This amendment applied only to the policy making section of the law. Died in Assembly committee.

**\*AB 394 (Condon)** Amended Section 13 to provide that suitable employment be limited to employment covered by the Act. This meant that an applicant would not be disqualified from receiving benefits because he refused to

accept a job in an industry or occupation in which he would be entitled to no unemployment insurance benefits, such as agriculture, etc. under the present law. Died in Assembly committee.

**\*AB 395 (Condon).** Added Section 38.1 to require every employer to pay a tax of 3.7 percent on all wages paid. Died in Assembly committee.

**\*AB 396 (Condon).** Repealed merit rating. Died in Assembly committee.

**\*AB 397 (Condon).** Repealed Section 39.1, which provides that no charges shall be made to employer accounts for "voluntary quits" and "discharges for misconduct." Died in Assembly committee.

**\*AB 398 (Condon).** Skeleton amendment to Section 56 concerning the trade dispute qualification. Died in Assembly committee.

**\*AB 399 (Condon).** Amended Section 58 to eliminate the present provision in the law which disqualifies an individual for an additional week for each week during which he fails to report to the employment office, when he is already disqualified. Also repealed the provision requiring an individual to report to the employment office during any period in which he is disqualified from receiving benefits. Died in Assembly committee.

**\*AB 400 (Condon).** Amended Section 58 to reduce the maximum amount of time during which an individual may be disqualified for additional disqualification from 8 to 5 weeks. Died in Assembly committee.

**\*AB 689 (Berry, Gaffney, et al).** Amended Section 57 to provide that benefits should be paid for the first seven days of unemployment, if unemployment lasts more than seven days. Died in Assembly committee.

**\*AB 690 (Berry, Gaffney, et al).** Amended Section 57 to eliminate the seven-day waiting period entirely. Died in Assembly committee.

**\*AB 691 (Berry, Gaffney and Geo. D. Collins).** Amended Section 57 to provide that a claimant is available for work if he is able to work, available for work and will accept his regular customary work. Died in Assembly committee.

**AB 1101 (Geddes).** Amended Section 72 to provide that benefits shall be charged to an employers' account even if a court reverses the decision of the Appeals Board. Died in Assembly committee.

**\*AB 1946 (Brown, Dills, et al).** Amended Section 53 to eliminate the 75 percent rule which disqualifies seasonal workers. Died in Assembly committee. Companion: **\*SB 892.**

**AB 2200 (Elliott).** Amended Section 53 to repeal the 75 percent rule which disqualifies seasonal workers. Died in Assembly committee.

**AB 3007 (Condon).** Amended Section 7.7 to cover full time life insurance salesmen. Died in Assembly committee.

**SB 490 (Mayo, Powers, et al).** Amended Section 7 and adds Section 7.4 to extend coverage to agricultural, casual

and nonprofit employees, now covered under the Federal Old Age And Survivors Insurance Act. Died in Senate committee.

**\*SB 889 (Harold T. Johnson).** Amended Section 54 to increase benefits from a maximum of \$25 to \$40 a week, and increased the ratio of benefits to earnings for those earning over \$400 in the highest quarter. Died in Senate committee. Companion: **\*AB 375.**

**\*SB 890 (Harold T. Johnson).** Amended Section 57 to pay benefits from the first day of unemployment if unemployment lasts more than seven days. Died in Senate committee. Companion: **\*AB 689.**

**\*SB 891 (Harold T. Johnson).** Added Section 54.1 to provide dependency benefits of \$5 a week for a dependent spouse and \$2.50 a week for each of the first two dependent children. Died in Senate committee. Companion: **\*AB 379.**

**SB 892 (Harold T. Johnson).** Amended Section 53 to eliminate the 75 percent rule which disqualifies seasonal workers. Died in Senate committee. Companion: **\*AB 1946.**

### Bad Bills

**AB 468 (Grunsky).** Added Section 58.1 to provide that a woman who leaves her job to be married, or to accompany her husband, or because of pregnancy, shall not be eligible for benefits until she has been re-employed and has earned \$100.00 on her new job. Died in Assembly committee.

**AB 481 (Lipscomb and Smith).** Amended Section 57 to provide that registration with a union hiring hall, professional hiring hall, college employment agency or similar employment agencies shall not in itself satisfy the requirement that an applicant actively seek work on his own behalf. Died in Assembly committee.

**AB 678 (Morris).** As introduced, was bad; amended Section 67 to provide that a notice of claim filed must be given to each employer of the applicant during the last six months. Present law requires that only the last employer be notified.

Completely amended to provide that an employer who wishes to protest the payment of benefits and avoid having such benefits charged to his account, must notify the Department within 10 days. Contained a technical error so that the Federation opposed the bill and requested a veto. Pocket-vetoed.

**AB 890 (Morris).** Amended Sections 76, 77, 78, 78.1, 79 and 83 to reduce the salaries of the members of the Appeals Board from \$12,000 to \$10,000 and limit their term of office to 4 years. Also provided that the Appeals Board should sit in two panels, one at San Francisco and one at Los Angeles. Reduced the membership of the California Employment Stabilization Commission from five to three members. Died in Assembly committee.

**AB 948 (Levering).** Similar to **AB 1716.** Died in Assembly committee.

**AB 1099 (Geddes).** Amended Section 6 to make the base period consist of the four quarters immediately preceding the day an individual files a claim. Repealed present base period provisions and eliminated lag quarters. Died in Assembly committee.

**AB 1102 (Geddes).** Amends Section 68 to repeal provisions requiring payment of benefits during an appeal when a referee has affirmed payments. Died in Assembly committee.

**AB 1103 (Geddes).** Amended Section 58 to make more severe the disqualification for quitting without "good cause" and discharge for "misconduct" by preventing payments unless the leaving is attributable to the fault of the employer, and eliminated the presumption that these disqualifications do not apply if the employer fails to notify the Commission. Died in Assembly committee.

**AB 1104 (Geddes).** Provided lower employer contributions to the Unemployment Fund. Died in Assembly committee.

**AB 1127 (Levering).** Amended Section 41.1 to provide that any review of charges due an employer's account shall include a new inquiry into any benefits paid, such as benefits paid an individual who has served his "quit without good cause" or "misconduct" disqualification period. Died in Assembly committee.

**AB 1128 (Levering).** Amended and repealed Sections 69, 70, 72, 76, 77, and 83 to replace the present three-man Unemployment Insurance Appeals Board with a seven-man board, sitting in two panels, and made such Board a part of a newly created Division of Appeals. Cut salaries of Appeals Board from \$12,000 to \$10,000. Reduced membership of the California Employment Stabilization Committee from five to three members. Died in Assembly committee.

**AB 1129 (Levering).** Similar to AB 1128. Died in Assembly committee.

**AB 1134 (Levering).** Amended Section 56 to deny benefits to anyone unemployed as a result of a trade dispute, even though he is locked out. Died in Assembly committee.

**AB 1135 (Levering).** Amended Section 9.2 to deny benefits for any period of unemployment, if the claimant was unemployed during the same period the year before. Died in Assembly committee.

**AB 1136 (Levering).** Repealed Section 58 and transferred all disqualifications to Section 56 imposing more stringent rules of eligibility, namely, disqualifying an individual unless he has been discharged or left his work because of fault attributable to the employer. Died in Assembly committee.

**AB 1287 (Dolwig and Geddes).** Amended Section 58 to establish a presumption that an individual is disqualified if his employer serves notice on the Department, and to provide that a discharge for misconduct or a voluntary quit is disqualifying unless due to fault attributable to the employer; in addition to the existing disqualifications, disqualified an individual for all unemployment benefits after disqualification and until he has been re-employed and has received subject wages of at least 10 times his weekly benefit amount. Died in Assembly committee.

**AB 1522 (Geddes).** Amended the Act to conform to HR 6000, but further provided for disqualification upon receipt of dismissal payments which an employer is not legally required to make and which payments do not now disqualify. Died in Assembly committee.

**AB 1713 (Levering).** Amended Section 53 to provide that a claimant who has already served his disqualification period shall, in addition, have the total amount of benefits he is entitled to receive reduced by an amount equal to his weekly benefit times the number of weeks of disqualification served; i.e., if he were entitled to a weekly benefit of \$25 and had served 4 weeks' disqualification, the total benefits he could receive would be reduced by \$100. Died in Assembly committee.

**AB 1715 (Levering).** As introduced, amended Section 58 to disqualify an individual unless he leaves for fault attributable to his employer, and disqualified an individual who leaves work because of marriage or other compelling personal reasons until he has earned \$100 in subsequent employment.

As sent to the Governor, disqualified any woman who leaves her work for domestic or marital reasons until she has earned \$100 in subsequent employment. Did not apply to disability insurance, or to a woman who is the main support of herself or family. Vetoed, as requested by the Federation.

**AB 1716 (Levering).** Repealed the present provision in Section 13 defining suitable employment pursuant to the standards of the federal act, and described a new disqualification effectively disqualifying a substantial number of applicants by providing as follows: during his first four weeks of unemployment, suitable employment means an individual's usual work but at the rate of pay for newly-hired employees, rather than the individual's rate. After four weeks, suitable employment means any work. Died in Assembly committee.

**AB 2261 (Levering).** As introduced, exempted employer from paying back contributions on fringe agricultural groups, if, in "good faith," he felt such employees were exempt.

As passed by Assembly, exempted such employers only when the regulations of the Department clearly exempt them, or when its regulations or the decisions of the Appeals Board have changed on coverage.

The Senate added a provision to cancel assessment against an employer based upon his failure to make deductions from pay of "registered unloaders" where the failure to deduct was induced in some manner by such employees, as by giving false names, social security numbers, etc. Statement of legislative intent was included to provide that the bill was not intended to change present coverage. Pocket-vetoed.

**AB 2470 (Morris).** Amended Section 57 to require an individual to actively seek work as a condition of being available for work. Died in Assembly committee.

**AB 2501 (Dolwig and Geddes).** As introduced, increased required base period earnings for eligibility for benefits from \$300 to \$600.

As refused passage in the Assembly, by a vote of 27 to 47, increased base period earnings to \$450 and required earnings of \$225 in each of two base period quarters. Would have disqualified 12.8 percent, or 83,400 persons filing claims during 1950. Defeat of this bill was a major Federation victory.

**AB 2502 (Dolwig and Geddes).** Prohibits using wages paid in the lag quarter prior to filing a first claim in computing benefits for a second claim covering such lag quarter, unless claimant earns sufficient wages after filing first claim to be eligible to file second claim. Effective January 1, 1952. The Federation requested a veto of this measure. Chapter 1762.

**AB 2650 (Grunsky).** Provided that an individual who has already served his disqualification period under Section 58 should lose benefit of an amount equal to those covered during the period of disqualification. Died in Assembly committee.

**AB 2652 (Grunsky).** Amended Section 58 to remove the present presumption that an individual has not been discharged for misconduct. Died in Assembly committee.

**AB 2653 (Grunsky).** Added Section 58 (e) to provide that an individual who is merely suspended from employment instead of discharged shall not be eligible for benefits. Died in Assembly committee.

**AB 2655 (Grunsky).** Added Section 57.6 to provide that benefits shall be reduced by the amount of any pension or benefit paid by a base period employer to which the employer contributes any part. Died in Assembly committee.

**AB 2774 (Morris).** Reduced employer taxes under merit rating. Died in Assembly committee.

**SB 447 (Weybret).** Added Section 59 to deny benefits to seasonal workers entirely. Died in Senate committee.

**SB 827 (Kraft).** Amended Section 9.2 to deny benefits for a period of unemployment which has occurred at the same time of year in the preceding two (2) years. Died in Senate committee.

**SB 831 (Kraft).** Amended Section 41.1 to provide that in the event of judicial review from a denial of the request of an employer to remove charges from his account, not only might the court consider the merits of this point, but it might review any and all benefits paid to the employee. Died in Senate committee.

**SB 835 (Kraft).** Amended Section 56 to disqualify from

benefits any individual who loses his work involuntarily as a result of a trade dispute, through lock-out, etc. Died in Senate committee.

**SB 836 (Kraft).** Incorporated all of the disqualifications under Section 56 and repealed Section 58 of the Act, but imposed more stringent ground for disqualification, namely, that the individual will be disqualified unless his discharge or quit is attributable to the employer. Died in Senate committee.

**SB 839 (Kraft).** Added Sections 57.3 and 57.6 to add an additional three weeks' disqualification, reduced benefits in misconduct cases, denied benefits entirely to unemployment due to marriage, dishonesty, and voluntary quit, and to persons receiving federal old age aid and survivors insurance benefits. Died in Senate committee.

**SB 840 (Kraft).** Amended Sections 57 and 58 to require that an individual be disqualified unless he leaves work due to the fault of the employer, and further provided that if the employer files notice under Section 58 (a) (2) of the Act, a determination must be made as to the eligibility of the employee for benefits even though no claim is filed. Also disqualified an individual if he leaves work to marry or because of compelling personal reasons. Amended to add that he must actively seek work every day for which he is claiming benefits. Died in Senate committee.

**SB 841 (Kraft).** Amended Section 58 to provide disqualification unless the leaving of work was attributable to the employer; removed a presumption of absence of disqualification if the employer fails to file notice under Section 58 (a) (2), and disqualified an individual who leaves work because of marriage or compelling personal reasons unless he thereafter earns \$100 in subject employment. Died in Senate committee.

**SB 1045 (Ward).** Denied benefits when partial unemployment continues beyond four weeks, and required a partially unemployed individual to accept offers of work. Died in Senate committee.

**SB 1046 (Ward).** Excluded from unemployment benefits persons under 14, and permitted their employer to pay tax voluntarily so as to build up his merit rating. Died in Senate committee.

**SB 1611 (Kraft).** Conferred on referees authority to hear and decide on appeals involving charge backs to employers' accounts. Died in Senate committee.

**SB 1615 (Kraft).** Amended Section 58 to extend the trade dispute disqualification to persons who are locked out. Amendments improved it slightly, but it remained a bad bill. Died in Senate committee.

**SB 1626 (Desmond and Hoffman).** Added Section 7.4 to clearly define as exempt agricultural labor, all work in connection with poultry. Died in Assembly.

## UNEMPLOYMENT DISABILITY INSURANCE

Significant progress occurred in improving disability insurance with the passage of **\*AB 3376**, which will probably result in the payment of additional benefits of \$6.5 million from the state fund, and \$3 to \$4 million from the private carriers with no increase in tax rates. Complete details are given below. As originally proposed, both benefit and tax rates would have been higher, but these



original proposals raised a storm of protest led by the Hearst press and Assemblyman Harold Levering. Severe amendments to the bill resulted.

The worst of these was an effort to freeze the \$113 million in the Unemployment Fund earmarked for either unemployment or disability benefits. This fund was built up by wage earner contributions. This amendment is similar in spirit to the attempts made in the 1949 legislature to "steal" this money and use it for unemployment insurance, thereby decreasing employers' unemployment taxes.

Due to the furor, the Federation allowed **\*AB 3376** to remain on the inactive file for five weeks while we explained the bill to legislators and lobbyists. We were successful in our educational program and succeeded in obtaining the benefits described.

We had the cooperation of the private insurance carriers during this session, and as a result the boycott of these carriers has been called off.

The new benefit provisions of **\*AB 3376** still assure the state fund an annual surplus of revenues over expenditures of at least \$1.1 million, so that additional legislative work remains before workers will receive back the full benefits to which their contributions entitle them.

When agreement was reached on **\*AB 3376**, the Federation and the carriers also agreed to drop most other bills.

The "death," therefore, of a larger number of both good and bad bills is due to the victory contained in **\*AB 3376**.

All law section references below are to the California Unemployment Insurance Act, unless otherwise indicated.

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 648 (Niehouse)**. Amended Section 201 to provide disability benefits for the first six weeks of disability due to pregnancy. Died in Assembly committee.

**\*AB 649 (Niehouse)**. Amended Section 201 to provide complete disability benefits for pregnancy. Died in Assembly committee.

**\*AB 688 (Berry, Gaffney and Meyers)**. Amended Section 209 to provide that an otherwise eligible claimant could receive wages or similar payments while receiving hospital benefits. Died in Assembly committee.

**\*AB 692 (Berry, Gaffney, et al)**. Amended Section 209 to increase the hospital benefits from \$8 to \$12 and from 12 days to 20 days. Died in Assembly committee.

**\*AB 704 (McCarthy)**. Amended Section 203 to increase

the maximum benefits from \$25 to \$40 a week; also increased the ratio of benefits to earnings for persons with over \$400 in the highest quarter. Died in Assembly committee.

**AB 705 (McCarthy)**. Amended Section 203 to increase the maximum benefits from \$25 to \$35; also increased the ratio of benefits to earnings for persons with over \$400 in the highest quarter. Died in Assembly committee.

**AB 758 (Lindsay)**. Amends Section 7.5 to provide that the present provisions providing for the elective coverage of public employees should also apply to civil service employees. Died in Assembly committee.

**AB 799 (Elliott)**. Amended Section 7 and adds Section 7.4 to extend coverage to agricultural and domestic employees. Died in Assembly committee.

**\*AB 916 (Hollibaugh, Hahn, et al)**. Amended Section 205 to eliminate the waiting period in accident cases. Died in Assembly committee.

**\*AB 917 (Hollibaugh, Hahn, et al)**. Amended Section 205 to eliminate the waiting period entirely. Died in Assembly committee.

**\*AB 918 (Hollibaugh, Hahn, et al)**. Amended Section 205 to reduce the waiting period from 7 to 4 days. Died in Assembly committee.

**\*AB 919 (Hollibaugh, Hahn, et al)**. Amended Section 205 to reduce the waiting period from 7 to 4 days and to eliminate entirely the waiting period in accident cases. Died in Assembly committee.

**\*AB 932 (Rosenthal and Munnell)**. Amended Section 151 to allow disability benefits to an individual who originally left work as a result of a trade dispute. Died in Assembly committee.

**\*AB 933 (Rosenthal and Munnell)**. Amended Section 151 to eliminate the trade dispute disqualification. Died in Assembly committee.

**\*AB 934 (Rosenthal and Munnell)**. Amended Section 150 and 152 to eliminate the wage loss factor. Died in Assembly committee.

**\*AB 935 (Rosenthal and Munnell)**. Added Section 39.2 to deny an employer merit rating unless he notifies the Department of Employment of job openings. Died in Assembly committee.

**\*AB 1207 (McMillan)**. Repealed private disability insurance plans. Died in Assembly committee.

**\*AB 1208 (McMillan)**. Amended Section 450 to allow a private plan when a majority of union members or groups of union members so request. Died in Assembly committee.

**\*AB 1209 (McMillan)**. Amended Section 451 to repeal requirement of employer's consent to private plan. Died in Assembly committee.

**\*AB 1564 (McCarthy and Gaffney)**. Repealed Section 208 to permit benefits while receiving regular wages. Died in Assembly committee.

**AB 1956 (Morris).** Amended Sections 450 etc. to permit private plans for groups of employees and to eliminate the need for employer consent. Further provided that a plan might be terminated on the election of a new plan. Died in Assembly committee.

**\*AB 2078 (Dunn).** Provides that for purposes of paying hospital benefits, "day" means any 24-hour period, or part thereof, for which a hospital charges a patient a full day's rate. Chapter 920.

**\*AB 3376 (Geddes, Maloney, et al).** This is the Federation-insurance carrier compromise disability bill.

As introduced, increased maximum weekly benefit from \$25 to \$35; increased taxable wages from \$3,000 to \$3,600; provided for payment of basic (weekly) benefits plus wages up to the limit of wages (including sick or vacation pay), and for payment of hospital benefits plus regular wages; granted disability benefits to workers who became sick while on strike; reduced insurance carrier taxes to the state fund by \$750,000; provided that when 85 percent of the employees selected a private carrier the remainder would be automatically covered.

As enacted, the bill increases maximum benefits from \$25 to \$30; grants strikers disabled through accident or hospitalized for causes not connected with the strike weekly and hospital benefits; permits payment of weekly benefits plus regular wages (including vacation or sick leave, etc.) up to 70 percent of regular wages and permits payment of hospital benefits in addition to full regular wages; provides that when 85 percent of the employees are covered by a private plan the employer may extend the plan to all employees except those who specifically reject the plan (when 75 percent of the employees are covered, the employees may elect to extend coverage to all employees.) Chapter 914.

**\*SB 462 (Miller).** Amended Section 209 to provide that a person might receive hospital benefits while receiving his regular wages. Died in Senate committee.

**\*SB 531 (O'Gara).** Amended Section 203 to increase disability benefits from \$25 to \$40. Died in Senate Committee. Companion: **\*AB 704.**

**\*SB 532 (O'Gara).** Amended Section 205 to reduce the waiting period from 7 to 4 days. Died in Senate committee. Companion: **\*AB 918.**

**\*SB 533 (O'Gara).** Repealed Section 208 so that an individual might receive benefits while receiving his regular wages. Died in Senate committee. Companion: **\*AB 1564.**

**\*SB 534 (O'Gara).** Amended Section 151 to provide

for limited payments in trade disputes. Died in Senate committee. Companion: **\*AB 932.**

**SB 843 (Kraft).** Provided that determinations in event of disputed coverage should be decided by the referee rather than the Appeals Board in the first instance. Died in Senate committee.

**SB 972 (Burns and Mayo).** Amended Section 209 to increase hospital benefits from \$8 to \$12 and from 12 to 20 days. Died in Senate committee.

### Bad Bills

**AB 992 (Levering).** As amended, provided that private plans underwritten by self-insurers should be approved by the Department of Employment instead of by the Insurance Commissioner. Died in Assembly committee.

**AB 1100 (Geddes).** Amended Section 403 to provide that worker contributions made under the Act shall be used only when the Disability Fund falls below \$50 million. Died in Assembly committee.

**AB 2013 (McCarthy).** Provided that in the merchant marine, private disability plans may be applied by departments. Died in Assembly committee, but see **SB 1493.**

**AB 2523 (Levering).** Repealed present requirement that private plans must not result in a selection of risks adverse to the state plan. Died in Assembly committee.

**AB 2524 (Levering).** Provided employer can keep dividends or refunds from voluntary plans even though they are based only on employee contributions. Died in Assembly committee.

**AB 2562 (Levering).** Granted to the Department of Employment the right to determine eligibility to benefits under the Workmen's Compensation Act.

As passed by the Assembly, provided that when there is doubt as to whether an individual should receive unemployment disability or cash workmen's compensation benefits, he shall receive unemployment disability benefits, provided that he executes a lien against the workmen's compensation benefits for the amount of disability benefits he received, and provided that he prosecutes diligently a claim for workmen's compensation benefits. In this form the bill was unobjectionable. Died in Senate committee.

**AB 2565 (Levering).** Added Section 209.1 to disqualify an individual from receipt of disability or hospitalization benefits while hospitalized under the Workmen's Compensation Act, even though no cash workmen's compensation benefits are payable to him. Died in Assembly committee.

**AB 2728 (Levering).** Amended Sections 150, 201 and 207 to eliminate the provisions that any disability benefits shall be automatically covered by either unemployment disability insurance, or workmen's compensation. Died in Assembly committee. See **AB 2739, WORKMEN'S COMPENSATION.**

**SB 1493 (O'Gara).** Added Section 451.1 to provide for private plans in the merchant marine on a departmental basis. Pocket-vetoed.

**SB 1620 (Kraft).** Provided that hospital benefits might be paid directly to the hospital, and without the claimant's consent if necessary.

**SB 1628 (Desmond).** Amended Section 207 to provide

for the immediate suspension of benefits if there was reason to believe that the claimant was eligible for workmen's compensation benefits; if the Commission opinion were overruled later, benefits should be paid. Died in Senate committee.

## VETERANS

The principal gains for veterans were the inclusion of servicemen and veterans of the Korean war under the present state veterans' laws on state employment, and preservation of unemployment insurance. A \$150,000,000 bond issue under the Veterans Farm and Home Loan Act has also been passed by the legislature and will appear on the ballot.

See also HOUSING, STATE, COUNTY AND MUNICIPAL EMPLOYEES.

### Good Bills

**AB 45, 72, 292, 822, 2886.** Amendments to the Veterans Farm and Home Loan Act. See HOUSING.

**AB 75 (McCollister).** Exempts paraplegic veterans from the motor vehicle license fee for one non-commercial vehicle. Chapter 851.

**AB 102 (Luckel, Cooke, et al).** Provides dependents of veterans who died in war or mock-war duty prior to December 7, 1941 shall be eligible for education aid. Died in Assembly committee.

**AB 104 (Luckel, Niehouse, et al).** Korean veterans' trainee rights under unemployment insurance. See UNEMPLOYMENT INSURANCE.

**AB 131 (Sherwin).** Appropriates \$975,000 to the Department of Veterans Affairs for educational assistance to veterans. Chapter 88.

**AB 671 (Niehouse).** Rights of Korean veterans

on leaving public employment. See STATE, COUNTY AND MUNICIPAL EMPLOYEES, GENERAL.

**AB 1645 (Brown, McCollister, et al).** Provides that once a veteran establishes his property tax exemption, he may make subsequent exemption claims by mail. Chapter 865.

**AB 1646 (Brown, McCollister, et al).** Gives veterans property tax exemption to veterans of the Korean war. Chapter 616.

**SB 331 (James E. Cunningham, McCarthy, et al).** Civil service rights, Korean veterans. See STATE, COUNTY, AND MUNICIPAL EMPLOYEES, GENERAL.

### Bad Bills

**ACA 41 (Rosenthal, Rumford, et al).** As introduced, authorized tax of not more than 1 mill per cigarette to pay a bonus to veterans of World War II and the Korean War. The Federation's opposition was to the tax.

As amended, provided for bond issue. Re-referred to Committee on Ways and Means, where it died.

## WATER AND POWER

The need for additional water and flood control projects was demonstrated in the disastrous floods of November and December, 1950, in the Central Valley. The Federation has always held that such projects should be constructed as integrated multiple-purpose flood control, power and irrigation projects by the U. S. Bureau of Reclamation, in accordance with the federal reclamation laws, including the 160-acre limit.

### Good Bills

**AB 54 (Collins, Gaffney, et al).** Provided that the state attorney general shall appear before the Public Utilities Commission in the interests of consumers. Died in Assembly committee.

**AB 1071 (Davis, Moss, et al).** As introduced, exempted electrical cooperatives from Public Utilities Commission regulation. The Assembly deleted this provision entirely;

the Senate restored it, but the Assembly refused to accept it.

As enacted, the bill is of no interest and deals with conditional sales contracts by highway and petroleum carriers.

**AB 3253 (Rosenthal, Burkhalter, et al).** Added to the Public Utilities Act to regulate stockholders of 1 percent or more; to regulate "affiliated interests" and contracts between a utility and an "affiliated interest." Motion to withdraw refused. Died in Assembly committee.

**SB 120 (Hoffman, Thompson, et al).** As amended January 23, 1951, appropriates \$1,500,000 from

the unappropriated funds of the postwar unemployment and construction, fund for repair of flood damage. Chapter 13.

### Bad Bills

**AB 340 (Hansen).** Creates a "Kings River Conservation District" out of already existing water and irrigation districts in the area. Amendments required a referendum vote of residents of these districts prior to creation of the Kings River District.

The Federation joined with the Grange in opposing this measure on the grounds that it would

take the Kings River area out of the unified Central Valley Project as planned and developed by the U. S. Bureau of Reclamation. Chapter 931.

**SB 18 (Desmond).** Provides that lands held by reclamation districts due to delinquent taxes may be sold in parcels larger than 320 acres. Chapter 9.

**SB 1054 (Ed. C. Johnson, Sutton et al).** Authorizes a Feather River water project at a potential cost of \$1 billion. The Assembly deleted the \$100,000 appropriation for planning, and provision for diverting water to southern California. Will interfere with integrated U. S. Bureau of Reclamation development. Chapter 1441.

## WORKMEN'S COMPENSATION

The Federation was quite successful in this field. According to the State Compensation Insurance Fund, benefits paid out under the Workmen's Compensation Act will be increased by about \$3.2 million annually. This gain was achieved through **\*AB 263**. We secured the agreement of all interested parties to this bill, which contains provisions originally presented in several separate Federation bills, before it left Assembly committee, and at the same time the parties involved agreed to drop most of their other bills on the Workmen's Compensation Act. As a result, a large number of the Federation bills are reported as "died in committee."

In addition to **\*AB 263**, a series of four bills by Assemblyman Maloney, **AB 974**, **AB 977**, **AB 978**, and **AB 979**, were passed and will improve enforcement and facilitate collection of benefits under the Act. Other favorable amendments will benefit state employees, disaster service workers and volunteer firefighters.

Bills marked \* were sponsored by the Federation

### Good Bills

**\*AB 261 (Maloney).** Added Section 122.5 to the Labor Code to establish a permanent medical bureau in the Industrial Accident Commission. Died in Assembly committee.

**\*AB 263 (Maloney).** As introduced, increased workmen's compensation benefits from the present minimum of \$9.75 to \$15; increased maximum from \$30 to \$40.

As enacted, increases maximum benefit for temporary total disability to \$35; requires carrier payment of laboratory fees needed to prove successfully a claim before the Commission; increases maximum death benefit for survivor with no dependents from \$6,000 to \$7,000, and for survivor with dependent from \$7,500 to \$8,750; gives court the right to determine whether the

Commission's awards are supported by substantial evidence. Benefit increases apply only to injuries incurred after effective date of law, September 22, 1951.

Following agreement on this bill in Assembly committee, the following bills were dropped:

Good Bill			Watch Bills	Bad Bills
*AB 261	*403	*SB 139	AB 506	AB 2006
*262	*404	*140	973	2504
*264	*405	*224	975	2738
*265	*414	*225	2798	2739
*266	*415	*226		2797
*267	*516	*530		2798
*268	508	*540		SB 614
*275	509	*541		615
*276	512	*587		1049
*277	513	*588		1765
*278	*538	*787		
*279	*541	*788		
*281	*544	*1519		
*350	*744	*1520		
*351	*745	*1521		
*373	*746	*1522		
*374	*752			
*401	*1572			
*402	*1729			

Chapter 606.

**\*AB 264 (Maloney).** Amended the Labor Code to provide that when an employee is injured and out of work for more than seven days, he shall receive benefits from the first day. The present law requires a waiting period of seven days for which no benefits are ever paid. Died in Assembly committee. Companion: **\*SB 224**.

**\*AB 266 (Maloney).** Amended the Labor Code to provide that temporary disability payments might be received for 520 weeks. The present law limits payments to 240 weeks. Died in Assembly committee. Companion: **\*SB 226.**

**\*AB 267 (Maloney).** Increased the death benefit to a maximum of \$15,000 in cases of total dependency. Provided for a death benefit of \$7,500 in cases of partial dependency. Provided for a dependency benefit of \$5 a week for each surviving dependent minor child under 18. Died in Assembly committee. See **\*AB 263.**

**\*AB 268 (Maloney).** Amended the Labor Code to provide that the death benefit in cases of total dependency shall be the same amount as is payable for 100 percent disability rating. In cases of partial dependency, the benefit shall be the same amount as is payable for a 50 percent permanent disability rating. Died in Assembly committee. See **\*AB 263.**

**\*AB 274 (Beck).** Amended Section 4903 of the Labor Code to allow liens only against temporary disability benefits. Died in Assembly committee.

**\*AB 275 (Beck).** Amended the Labor Code to extend the statute of limitations from one to two years. Died in Assembly committee.

**\*AB 276 (Beck).** Amended the Labor Code to extend the statute of limitations in death cases. Died in Assembly committee.

**\*AB 277 (Beck).** Amended Section 5410 of the Labor Code to extend the jurisdiction of the Commission from five to ten years. Died in Assembly committee.

**\*AB 278 (Beck).** Amended Section 5804 of the Labor Code to extend the authority of the Commission to act from five to ten years. Died in Assembly committee.

**\*AB 279 (Beck).** Amended the Labor Code to repeal the five years' limitation on the authority of the Commission to act. Died in Assembly committee.

**\*AB 281 (Fleury and Moss).** Amended the Labor Code to provide that the employer, or person liable to pay the award, should pay the employee's attorney's fee in any case in which the Commission grants compensation. Further provided that the employer should pay the attorney's fee in any case where the employee wins in an appeal from an award from the Commission. Died in Assembly committee. Companion: **\*SB 530.**

**\*AB 350 (Coats).** Added Section 4650.1 to the Labor Code to provide that interest at the rate of 6 percent per year should be paid on any delayed payment. Died in Assembly committee.

**\*AB 351 (Coats).** Amended Section 5800 of the Labor Code to provide that interest due on an award should be computed from the date the payment was due under the award.

The present law provides that interest shall be due only from the date of the award. Died in Assembly committee.

**\*AB 373 (Dunn).** Amended Section 3208 of the Labor Code to provide for compensation for injuries to dentures. Died in Assembly committee.

**\*AB 374 (Dunn).** Amended Section 3208 of the Labor Code to provide for the replacement or repair of eyeglasses, regardless of whether or not the glasses were injured in the course of an accident which caused a disability of seven days or more to the claimant. Died in Assembly committee.

**\*AB 401 (Gaffney, Collins, and Berry).** Amended Section 4553 of the Labor Code to provide that in serious and wilful misconduct cases, any person in authority shall be responsible. Died in Assembly committee.

**\*AB 402 (Gaffney, Collins, and Berry).** Amended Section 4553 of the Labor Code to provide that benefits for injuries resulting from serious and wilful misconduct should be increased 100 percent. Also repealed the present maximum limitation of \$3,750. The present law provides that the benefit shall be increased only 50 percent in such cases. Died in Assembly committee.

**\*AB 403 (Gaffney, Collins, and Berry).** Added Section 4664 to the Labor Code to provide dependency benefits in cases of temporary disability, the benefit to amount to \$5.00 per week for each of the first two dependents. Died in Assembly committee. Companion: **\*SB 1519.**

**\*AB 404 (Gaffney, Collins, and Berry).** Amends Section 4553 of the Labor Code to provide that in a serious and wilful misconduct case a superior, as defined, should be responsible, in addition to the employer; benefits in such cases to be increased 50 percent. Died in Senate committee.

**\*AB 405 (Gaffney, Collins, and Berry).** Amended Section 4751 of the Labor Code to provide that cases involving a 30 percent disability might receive benefits from the subsequent injuries fund. Under the present law, disability must amount to 70 percent in order for an employee to receive payment from the subsequent injuries fund. Died in Assembly committee.

**\*AB 414 (Henderson).** Amended Section 4605 of the Labor Code to require an employer to make available to employee all pertinent medical records. Died in Assembly committee. Companion: **\*SB 587.**

**\*AB 415 (Henderson).** Amended Sections 4600 and 4601, and repealed Sections 4602 and 4603 of the Labor Code to give the employee full right to select his own physician and medical treatment, etc., at the expense of the employer. Died in Assembly committee. Companion: **\*SB 588.**

**\*AB 416 (Henderson).** Amended Section 4600 of the Labor Code to provide that an injured employee might be reimbursed for the cost of laboratory tests, witness fees and medical testimony required to prove successful a contested claim. Died in Assembly committee. See **\*AB 263.**

**AB 505 (Condon).** Amended Section 5405 of the Labor Code to provide that proceedings for the collections of benefits might be begun within one year from the date applicant receives notice from employer or carrier that his claim has been rejected. Died in Assembly committee.

**AB 507 (Condon).** Added Section 5815 to the Labor Code to provide that if the final award is not paid during the time allowed for filing a petition for rehearing, then the

amount of the final award should be increased by one-half. This would have insured more prompt payment of awards by insurance carriers. Died in Assembly committee.

**\*AB 538 (Meyers).** Added Section 5401.1 to the Labor Code to provide for the possibility of life-long medical care. Died in Assembly committee. Companion: **\*SB 541.**

**\*AB 744 (Geo. D. Collins).** Amended Section 3358.5 of the Labor Code to extend coverage to household domestic servants working 8 or more hours per week for one employer. The present law only covers servants working 52 hours. Died in Assembly committee.

**\*AB 745 (George D. Collins and Gaffney).** Amended Section 3352 of the Labor Code to extend full coverage to agricultural employees. Died in Assembly committee.

**\*AB 746 (Geo. D. Collins and Gaffney).** Amended Section 3352 of the Labor Code to extend full coverage to all domestic servants. Died in Assembly committee.

**\*AB 752 (Geo. D. Collins).** Amended Section 3352 of the Labor Code to extend full coverage to news vendors. Died in Assembly committee.

**AB 911 (Geddes).** As introduced, a bad bill, providing for final decisions by referees and weakening the legal effect of Commission decisions.

As amended, it simply permits the continuance of the existing practices of the Commission by specifically incorporating them as a matter of law. Under this practice referees are to be permitted to make original decisions, but at all times subject to supervision by the Commission, and with the right in the Commission to remove the cases to themselves, to set aside decisions of referees which do not appear satisfactory to the Commission, or to take whatever action the Commission may deem advisable. Chapter 778.

**AB 970 (Condon).** Added Section 3212.7 to the Labor Code to provide that absence from work due to a compensable injury does not constitute a break in service for peace officers, foresters or fire fighters. Died in Senate committee.

**AB 974 (Maloney).** As introduced, added Section 4557 to the Labor Code to provide for double payments when a minor is injured; the penalty benefit to be paid by the employer rather than by the insurance carrier.

As amended in the Assembly, provides for 50 percent increase in benefits when a minor is injured, but exempts employers who in good faith hired the minor on what turned out to be false evidence of age.

As amended in the Senate and enacted, continues Assembly provisions, but permits employer to insure against such added liability. Chapter 1414.

**AB 977 (Maloney).** Adds Section 3715 to the Labor Code to provide free legal assistance to an employee in prosecuting a workmen's compensation claim against a willfully uninsured employer. Chapter 910.

**AB 978 (Maloney).** Adds Section 3760 to the Labor Code to require employers to report accidents to insurance carriers within five days. Chapter 893.

**AB 979 (Maloney).** Confers on the Director of the Division of Industrial Relations the enforcement authority with respect to failure to secure payment of compensation. Makes employer's failure to secure payment of compensation within 10 days after he has been notified subject to \$300 fine. Chapter 1436.

**AB 981 (Maloney).** As enacted, increases the burial benefit for disaster service workers from \$150 to \$300.

Amends Section 4702 to provide that death benefits for all workers shall be in the same amount as temporary disability payments. (Temporary disability benefits were increased in **\*AB 263.**) Chapter 1437.

**AB 1523 (Geddes).** Makes the State Compensation Insurance Fund subject to the same property tax and the gross premiums tax as private insurance carriers. The State Fund had previously paid a sum "equivalent" to the gross premiums tax. Chapter 917.

**\*AB 1572 (Hinckley).** Amended Section 6413 of the Labor Code to allow use of first reports on accidents in workmen's compensation cases. Died in Assembly committee. Companion: **\*SB 787.**

**\*AB 1729 (Hinckley).** Amended Sections 6407 and 6408 of the Labor Code to require filing of accident reports with the Industrial Accident Commission. Died in Assembly committee. Companion bill **\*SB 788.**

**AB 1828 (Grant).** Provides for reasonable burial expenses up to \$400 for state employees. Chapter 376.

**AB 3248 (Rosenthal).** Increased from \$10,000 to \$12,000 the salaries of the members of the Industrial Accident Commission. Re-referred to Senate Committee on Finance, where it died. See **AB 2882, STATE EMPLOYEES.**

**AB 3307 (Morris).** As enacted, provides for the determination by the Industrial Accident Commission, on the death of a member of the State Employees Retirement System, of the System's liability for payment of death benefits. Chapter 1359.



**AB 3310 (Morris).** Repealed Section 4801 of the Labor Code and provided that a termination of benefits might be made upon application of anyone properly entitled, and provided that where an individual who is a member of the California Highway Patrol is suffering temporary disability he might accept a leave of absence in lieu of such benefits for one year. Died in Senate committee.

**AB 3432 (Morris).** Amends section 5804 of the Labor Code to prevent the Industrial Accident Commission from changing finding that employment exists (i.e., that claimant has basis for claim) after time for rehearing or review has expired. Chapter 1287.

**\*SB 139 (Regan and Johnson).** Increased the maximum death benefit to \$15,000 in cases of total dependency and to \$7,500 in cases of partial dependency. Further provides for a dependency benefit of \$5.00 per week for each surviving minor child. Died in Senate committee. See **\*AB 263**.

**\*SB 140 (Regan and Johnson).** Increased workmen's compensation benefits from a minimum of \$9.75 to \$15.00, and from a maximum of \$30.00 to a maximum of \$40.00 per week. Died in Senate committee. See **\*AB 263**.

**\*SB 224 (Regan and Johnson).** Amended Section 4650 and 4652 of the Labor Code to provide that benefits shall be paid from the first day of disability, providing the disability lasts more than 7 days. Died in Senate committee. Companion: **\*AB 264**.

**\*SB 225 (Regan and Johnson).** Amended Section 4702 of the Labor Code to provide that in cases of total dependency, the death benefit should equal the death benefit for a 100 percent permanent disability.

In cases of partial dependency, the death benefit should be the amount payable for a 50 percent permanent disability. Died in Senate committee. See **\*AB 263**.

**\*SB 226 (Regan and Johnson).** Amended Section 4656 of the Labor Code to extend temporary disability payment from 240 weeks to 520 weeks. Died in Senate committee. Companion: **\*AB 266**.

**SB 431 (Regan).** As enacted, broadens definition of disaster service workers for coverage under the Workmen's Compensation Act. Chapter 1673.

**SB 432 (Regan).** As enacted, provides that volunteer firefighters shall receive the new maximum workmen's compensation benefits. Chapter 1524.

**\*SB 530 (O'Gara).** Amended Section 5801 of the Labor Code to require the employer or carrier to pay attorneys' fees. Died in Senate committee. Companion: **\*AB 281**.

**\*SB 540 (Miller).** Amended Section 4600 of the Labor Code to include fees for laboratory tests, witnesses and medical testimony in an award. Died in Senate committee. See **\*AB 263**.

**\*SB 541 (Miller).** Added Section 5410.1 to the Labor Code to make possible life-long medical treatment. Died in Senate committee. Companion: **\*AB 538**.

**\*SB 587 (Miller).** Amended Section 4605 of the Labor Code to require an employer to make available to the employee upon request and without cost all pertinent medical records. Died in Senate committee. Companion: **\*AB 414**.

**\*SB 588 (Miller).** Amended Section 4600, etc., of the Labor Code to grant an employee free choice of doctor. Died in Senate committee. Companion: **\*AB 415**.

**\*SB 787 (Burns).** Amended Section 6413 of the Labor Code to permit the use of first accident reports in workmen's compensation cases. Died in Senate committee. Companion: **\*AB 1572**.

**\*SB 788 (Burns).** Amended Sections 6407 and 6408 of the Labor Code to require filing copies of injury reports with the Industrial Accident Commission. Died in Senate committee. Companion: **\*AB 1729**.

**\*SB 1519 (Desmond).** Added Section 4664 to the Labor Code to provide for dependency benefits of \$5 a week for each of the first two dependents. Died in Senate committee. Companion: **\*AB 403**.

**\*SB 1520 (Desmond).** Extended the statute of limitations from one to two years. Died in Senate committee.

**\*SB 1521 (Desmond).** Extended the statute of limitations from one to two years in death cases. Died in the Senate.

**\*SB 1522 (Desmond).** Amended Section 4903 of the Labor Code to allow liens against only temporary disability benefits. Died in Senate committee.

**SB 1609 (Kraft).** As introduced, increased from \$10,000 to \$12,000 the salaries of the members of the Industrial Accident Commission. (See **AB 2882, STATE, COUNTY AND MUNICIPAL EMPLOYEES, GENERAL**.)

As enacted, completely amended and unobjectionable: redefines administrative powers of Industrial Accident Commission. Chapter 1729.

### Bad Bills

**AB 2006 (Dolwig).** Amended Section 4702 of the Labor Code to limit the payment of death benefits to dependent widows. Died in Assembly committee.

**AB 2504 (Dolwig).** Provided, as a matter of right, that the decision of the Industrial Accident Commission should be subject to court review. Died in Assembly committee.

**AB 2612 (Levering).** Provided that public agencies might insure with private workmen's compensation carriers. Died in Assembly committee.

**AB 2670 (Connolly).** Conferred on referees final authority to decide cases and completely revised the nature and methods of procedures at hearings and decisions of review. Died in Assembly committee.

**AB 2738 (Levering).** Added Section 4664 to the Labor Code to eliminate temporary disability benefits when an individual suffers a permanent disability. Died in Assembly committee.

# 1951 REGULAR SESSION, CALIFORNIA STATE LEGISLATURE

## Tabulated Vote on 14 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. Due to agreements worked out between the interested parties, many bills were passed unanimously, including \*AB 3376 and \*AB 263, increasing unemployment disability and workmen's compensation benefits.

No Senate roll calls on bills seeking to destroy the rights of labor or restrict union activities are represented. The "right to work" bill was postponed indefinitely in the Senate by voice vote so that no recorded roll call is available. Similarly, the "hot cargo" bill was allowed to remain on the inactive file as a majority of Senators indicated informally their opposition to this bill.

					Child Care Centers		Civil Rights				Elections	Housing	Taxes		Teachers		Unemployment Insur.	
					1	2	3	4	5	6	7	8	9	10	11	12	13	14
					AB 3410—To continue child care centers. Vote on passage, June 21. SB 65—To continue child care centers. Vote on amendment to limit aid to 20 cents per child per hour, May 31. *AB 546—To prohibit racial discrimination in the selection of apprentices. Vote on passage, May 23. *AB 546—To prohibit such discrimination in connection with public works only. Vote on passage, June 7. *AB 546—Vote confirming previous passage, June 8. AB 1756—To prohibit racial discrimination in business or vocational schools. Vote on amendment to limit to public schools only. AB 2665—To limit severely right to two hours off from work to vote. Vote on passage. AB 2727—On community redevelopment. Vote to table O'Gara amendment to require consultation with public housing authority on placement of low income persons who will be displaced during redevelopment. SJR 10—To request a federal constitutional amendment to limit income and other tax rates to 25 percent or less. Vote on passage, June 4. SJR 10—Vote on reconsideration of previous refusal to pass, June 15. *AB 1151—To provide a duty free half hour for lunch for teachers. Vote on passage. AB 1562—To increase the minimum salary for teachers from \$2400 to \$3000 effective July 1, 1952. Vote on passage. AB 1715—To deny benefits to a woman who leaves work for marital or domestic reasons until she has earned \$100 in subsequent employment. Vote on passage. AB 2602—To prohibit use of lag quarter earnings in computing benefits under a second claim. Vote on passage.													
PARTY	GOOD VOTES	BAD VOTES	ABSENT		Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No	Aye No
SENATORS					29- 3	23- 9	8-23	28- 3	19-17	20-15	22-11	22-13	15-23	14-21	11-25	25- 7	22- 9	24- 6
Totals																		
Abshire	R	6	7	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Breed	R	7	4	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Brown	D	2	6	6	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Burns	D	5	9	0	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Busch	R	5	4	5	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Byrne	R	3	7	4	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Collier	R	7	2	5	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Coombs	R	9	4	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Cunningham, James E.	R	11	2	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Cunningham, Roy	D	5	8	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Desmond	D	1	7	6	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Dillinger	D	9	4	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Dilworth	R	2	9	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Donnelly	D	9	5	0	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Dorsey	R	7	2	5	•	•	•	•	•	•	•	•	•	•	•	•	•	•
*Erhart	R	4	5	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Gibson	D	5	6	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Hatfield	R	5	6	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Hoffman	R	1	10	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Hulse	R	3	8	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Johnson, Ed C.	R	3	9	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Johnson, Harold T.	D	13	0	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Judah	R	9	5	0	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Kraft	R	4	5	5	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Mayo	R	2	10	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
McBride	D	7	5	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
McCarthy	R	7	7	0	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Miller	D	13	0	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
O'Gara	D	12	0	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Parkman	R	3	11	0	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Powers	R	7	5	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Regan	D	10	0	4	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Sutton	R	6	8	0	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Tenney	R	2	8	4	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Thompson	R	2	11	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Ward	R	4	9	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Watson	R	1	11	2	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Way	R	5	6	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Weybret	R	4	9	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Williams	R	7	6	1	•	•	•	•	•	•	•	•	•	•	•	•	•	•

\*Senator Erhart took office on June 4, filling the vacancy created by the death of Senator Chris N. Jespersen on February 21, 1951.

Black ● Indicates a Good Vote. Red ● Indicates a Bad Vote.  
—Indicates Absent or Not Voting.  
\*Indicates a Federation bill.

[illegible]

Corrected, October 1951

**AB 2739 (Levering).** Established a class of "nonoccupational diseases" and provided that benefits chargeable to an employer on such diseases should be related to the number of years the employee was exposed to conditions causing the disease by the given employer. Died in Assembly committee.

**AB 2797 (McGee and McCarthy).** Denied benefits where an injury causes aggravation of a previously existing disease. Died in Assembly committee.

**SB 86 (McBride).** Provided that the State Compensation Insurance Fund might not hire persons to solicit employers to insure with it, such work to be done by private insurance brokers. Died in Senate committee.

**SB 500 (Judah and Dillinger).** Provides that possible public assistance benefits can be deducted from payments made from the subsequent injuries fund. Chapter 646.

**SB 614 (Ward).** Redefined occupational diseases and non-occupational diseases and effectively prevented payment of compensation for disability which is not in any way connected with a disease. Died in Senate committee.

**SB 697 (Regan).** Amended the law as to liability for silicosis so as to require an individual to take joint action against all parties during whose employment he might have been exposed to the disease. Died in Senate committee.

**SB 698 (Regan).** Required that in any application the Commission must serve all employers of the applicant, either past or present. Died in Senate committee.

**SB 701 (Regan).** Added Section 4756 to the Labor Code to completely revise liability for silicosis and in effect prevent recovery unless the employee conclusively showed that all of the liability had been sustained with one employer.

As amended, above applied only to underground metal mining. Died in Senate committee.

**SB 927 (McBride).** Requires immediate change of rates for workmen's compensation policies at date set by the Commissioners. Chapter 558.

**SB 1722 (McBride).** Gave state agencies the right to insure with the State Fund or a private carrier; under present law the State Fund has priority. Died in Senate committee.

## MISCELLANEOUS

Covers ALCOHOLIC BEVERAGES, COURTS, MECHANICS LIENS, STATE GOVERNMENT, and other subjects.

Bills marked \* were sponsored by the Federation

### Good Bills

**AB 175 (Niehouse and Cloyed).** Increases jurors' fees from \$2 to \$3 a day. Chapter 1693.

See also **AB 2384**.

**AB 493 (Collins, Condon, et al).** Created a Department of Commerce to study the state's economy and, among other things, prevent unemployment. Died in Assembly committee.

**AB 617 (Stewart).** Increases preferred lien for an employee from an estate from \$200 to \$600. Chapter 475.

**AB 618 (Stewart).** Increases preferred lien on wages due an employee under claims or liens from \$200 to \$600. Chapter 476.

\***AB 1206 (McMillan).** Repeals bill posters' tax. Died in Assembly.

**AB 1999 (Cloyed).** Strengthens the limitations on home slaughter of cattle. Chapter 1189.

**AB 2384 (Maloney).** As introduced, increased jurors' fees from \$2 to \$5 a day; as passed by the Assembly, increased fees to \$5 in San Francisco county only. Chapter 1464.

See also **AB 175**.

### Bad Bills

**AB 795 (Stewart).** Provides regulations of state agency presumptively invalid. Chapter 479.

**AB 2707 (Dickey).** Provided that no public agency may make an agreement with the U.S. without the approval of the Governor's Council. Died in Assembly committee.

**AB 2723 (McFall and Brown).** Restricted the priority of mechanics' liens. Died in Assembly committee.

**AB 3395 (Connolly).** Broke down distinction between retailer and wholesaler under the Alcoholic Beverages Act. Died in Assembly committee.

**SCA 14 (Weybret, Burns, et al).** As introduced, repealed provisions for the election of judges.

As amended, required the Governor to make appointments from persons nominated by nonpartisan juridical commissions established by this bill; such commission to be composed of present judges, nominees of the State Bar, and nominees of the Governor. Died in Senate committee.

## STATE OFFICERS AND MEMBERS OF THE 1951 LEGISLATURE

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

### SENATORS

Party	Dist.	City	Party	Dist.	City
Abshire, F. Presley	R 12	Geyserville	Johnson, Ed. C.	R 10	Marysville
Breed, Arthur H. Jr.	R 16	Oakland	Johnson, Harold T.	D 7	Roseville
Brown, Charles	D 28	Shoshone	Judah, H. R.	R 23	Santa Cruz
Burns, Hugh M.	D 30	Fresno	Kraft, Fred H.	R 40	San Diego
Busch, Burt W.	R 4	Lakeport	Mayo, Jesse M.	R 26	Angels Camp
Byrne, Paul L.	R 6	Chico	McBride, James J.	D 33	Ventura
Collier, Randolph	R 2	Yreka	McCarthy, John F.	R 13	San Rafael
Coombs, Nathan F.	R 11	Napa	Miller, George, Jr.	D 17	Richmond
Cunningham, James E.	R 36	San Bernardino	O'Gara, Gerald J.	D 14	San Francisco
Cunningham, Roy	D 27	Hanford	Parkman, Harry L.	R 21	Millbrae
Desmond, Earl D.	D 19	Sacramento	Powers, Harold J.	R 1	Eagleville
Dillinger, H. E.	D 9	Placerville	Regan, Edwin J.	D 5	Weaverville
Dilworth, Nelson S.	R 37	Hemet	Sutton, Louis G.	R 8	Maxwell
Donnelly, Hugh P.	D 22	Turlock	Tenney, Jack B.	R 38	Los Angeles
Dorsey, Jess R.	R 34	Bakersfield	Thompson, John F.	R 18	San Jose
Erhart, A. A.	R 29	Pismo Beach	Ward, Clarence C.	R 31	Santa Barbara
Gibson, Luther E.	D 15	Vallejo	Watson, Clyde A.	R 35	Orange
Hatfield, George J.	R 24	Newman	Way, A. W.	R 3	Eureka
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
Babbage, John D.	R 76	Riverside	Hawkins, Augustus F.	D 62	Los Angeles
Beck, Julian	D 41	San Fernando	Henderson, Wallace D.	D 34	Fresno
Belotti, Frank P.	R 1	Eureka	Hinckley, Stewart	R 73	Redlands
Berry, William Clifton	D 23	San Francisco	Hollibaugh, Jonathan J.	R 52	Huntington Park
Brady, Bernard R.	D 19	San Francisco	Kelly, H. W.	R 39	Shafter
Brown, Ralph M.	D 30	Modesto	Kilpatrick, Vernon	D 55	Los Angeles
Burke, Montivel A.	R 53	Alhambra	Kirkwood, Robert C.	R 28	Saratoga
Burkhalter, Everett G.	D 42	North Hollywood	Klocksiesm, Herbert R.	R 71	Long Beach
Vacancy	77		Lanterman, Frank	R 48	La Canada
Caldecott, Thomas W.	R 18	Berkeley	Levering, Harold K.	R 60	Los Angeles
Chapel, Charles Edward	R 46	Inglewood	Lincoln, L. H.	R 15	Oakland
Clarke, George A.	R 31	Planada	Lindsay, Francis C.	R 6	Loomis
Cloyed, Ralph R.	R 80	Chula Vista	Lipscomb, Glenard P.	R 56	Los Angeles
Coats, Arthur W., Jr.	D 4	Yuba City	Lowrey, Lloyd W.	D 3	Rumsey
Collier, John L. E.	R 54	Los Angeles	Luckel, Frank	R 78	San Diego
Collins, George D., Jr.	D 22	San Francisco	Lyon, Charles W.	R 59	Beverly Hills
Collins, Sam L.	R 75	Fullerton	Maloney, Thomas A.	R 20	San Francisco
Condon, Robert L.	D 10	Walnut Creek	McCarthy, Robert I.	D 25	San Francisco
Connolly, Arthur H., Jr.	R 21	San Francisco	McCollister, Richard H.	R 7	Mill Valley
Conrad, Charles J.	R 57	Hollywood	McFall, John J.	D 12	Manteca
Cooke, John B.	D 38	Ventura	McGee, Patrick D.	R 64	Los Angeles
Crowley, Ernest C.	D 5	Fairfield	McMillan, Lester A.	D 61	Los Angeles
Davis, Lester T.	D 2	Portola	Meyers, Charles W.	D 24	San Francisco
Dickey, Randal F.	R 14	Alameda	Morris, G. Delbert	R 63	Los Angeles
Dills, Clayton A.	D 67	Gardena	Moss, John E. Jr.	D 9	Sacramento
Dolwig, Richard J.	R 27	So. San Francisco	Munnell, William A.	D 51	Los Angeles
Doyle, Thomas J.	D 45	Los Angeles	Niehouse, Kathryn T.	R 79	San Diego
Dunn, Francis, Jr.	D 13	Oakland	Parker, Howard Q.	D 11	Stockton
Elliott, Edward E.	D 44	Los Angeles	Porter, Carley V.	D 69	Compton
Erwin, Thomas M.	R 50	Puente	Rosenthal, William H.	D 40	Los Angeles
Evans, John W.	R 65	Los Angeles	Rumford, William Byron	D 17	Berkeley
Fleury, Gordon A.	R 8	Sacramento	Shaw, Stanford C.	D 72	Ontario
Gaffney, Edward M.	D 26	San Francisco	Sherwin, Marvin	R 16	Piedmont
Geddes, Ernest R.	R 49	Claremont	Silliman, James W.	R 33	Salinas
Grant, William S.	R 70	Long Beach	Smith, H. Allen	R 43	Glendale
Grunsky, Donald L.	R 32	Watsonville	Stanley, Earl W.	R 74	Balboa Island
Gubser, Charles S.	R 29	Gilroy	Stewart, Albert I.	R 47	Pasadena
Hagen, Harlan	D 36	Hanford	Thomas, Vincent	D 68	San Pedro
Hahn, Gordon R.	R 66	Los Angeles	Tomlinson, Stanley T.	R 37	Santa Barbara
Hansen, William W.	R 35	Fresno	Waters, Laughlin E.	R 58	Los Angeles

# INDEX OF BILLS

## Assembly

Bills marked \* were sponsored by the Federation

Bills marked • were sponsored by the State Building Trades Council

No.	Page	No.	Page	No.	Page	No.	Page
AB 10.....	9	*AB 406.....	15	AB 764.....	9	*AB 1206.....	37
AB 20.....	21	*AB 407.....	6	AB 779.....	14	*AB 1207.....	30
AB 21.....	6	*AB 408.....	10	AB 795.....	37	*AB 1208.....	30
AB 25.....	15	*AB 409.....	10	AB 799.....	30	*AB 1209.....	30
AB 26.....	23	*AB 410.....	10	*AB 804.....	11	AB 1216.....	18
AB 38.....	21	*AB 411.....	10	AB 813.....	6	AB 1243.....	22
AB 45.....	12	*AB 412.....	10	AB 815.....	20	AB 1287.....	28
AB 51.....	26	*AB 413.....	7	AB 817.....	13	AB 1312.....	18
AB 54.....	32	*AB 414.....	34	AB 822.....	12	*AB 1318.....	14
AB 55.....	8	*AB 415.....	34	*AB 841.....	21	AB 1492.....	11
AB 72.....	12	*AB 416.....	34	*AB 845.....	7	AB 1522.....	28
AB 75.....	32	AB 434.....	23	AB 849.....	14	AB 1523.....	35
AB 102.....	32	AB 443.....	19	AB 853.....	20	AB 1531.....	18
AB 104.....	26	AB 445.....	19	AB 890.....	27	AB 1562.....	25
AB 131.....	32	AB 468.....	27	AB 911.....	35	*AB 1564.....	30
AB 149.....	9	AB 474.....	8	*AB 916.....	30	*AB 1567.....	17
AB 164.....	9	AB 481.....	27	*AB 917.....	30	*AB 1572.....	35
AB 166.....	24	*AB 485.....	21	*AB 918.....	30	*AB 1577.....	25
AB 167.....	24	*AB 486.....	13	*AB 919.....	30	AB 1586.....	25
AB 169.....	25	AB 493.....	37	*AB 932.....	30	AB 1587.....	25
AB 173.....	16	AB 496.....	11	*AB 933.....	30	AB 1607.....	9
AB 175.....	37	AB 500.....	21, 23	*AB 934.....	30	AB 1613.....	16
AB 211.....	26	AB 505.....	34	*AB 935.....	30	AB 1619.....	15
AB 241.....	20	AB 507.....	34	AB 947.....	15	AB 1620.....	15
AB 255.....	19	*AB 537.....	13	AB 948.....	27	AB 1626.....	23
*AB 261.....	33	*AB 538.....	35	*AB 958.....	21	AB 1629.....	23
*AB 263.....	33	*AB 541.....	12	AB 961.....	7	AB 1645.....	32
*AB 264.....	33	*AB 542.....	6	AB 968.....	9	AB 1646.....	32
*AB 266.....	34	*AB 543.....	12	AB 970.....	35	AB 1674.....	13
*AB 267.....	34	*AB 544.....	13	AB 974.....	35	AB 1679.....	13
*AB 268.....	34	*AB 545.....	13	AB 977.....	35	AB 1689.....	18
AB 269.....	7	*AB 546.....	6	AB 978.....	35	AB 1705.....	18
*AB 274.....	34	AB 617.....	37	AB 979.....	35	AB 1712.....	15
*AB 275.....	34	AB 618.....	37	AB 980.....	13	AB 1713.....	28
*AB 276.....	34	AB 625.....	13	AB 981.....	35	AB 1715.....	28
*AB 277.....	34	AB 636.....	23	AB 984.....	12	AB 1716.....	28
*AB 278.....	34	AB 638.....	23	AB 987.....	16	*AB 1729.....	35
*AB 279.....	34	AB 640.....	23	AB 989.....	15	AB 1756.....	7
*AB 280.....	21	AB 641.....	23	AB 992.....	31	AB 1806.....	8
*AB 281.....	34	AB 642.....	23	AB 1006.....	15	AB 1810.....	22
AB 292.....	12	AB 643.....	13	AB 1015.....	15	AB 1828.....	35
AB 340.....	33	*AB 648.....	30	AB 1018.....	9	AB 1882.....	7
*AB 350.....	34	*AB 649.....	30	AB 1025.....	22	AB 1893.....	9
*AB 351.....	34	AB 651.....	22	*AB 1053.....	7	AB 1902.....	7
AB 352.....	20	*AB 655.....	21	AB 1069.....	9	AB 1903.....	12
*AB 368.....	13	*AB 656.....	25	AB 1071.....	32	AB 1904.....	8
AB 369.....	13	AB 663.....	13	AB 1099.....	28	AB 1923.....	9
*AB 373.....	34	AB 666.....	14	AB 1100.....	31	*AB 1929.....	25
*AB 374.....	34	AB 668.....	19	AB 1101.....	27	*AB 1946.....	27
*AB 375.....	26	AB 669.....	19	AB 1102.....	28	AB 1956.....	31
*AB 376.....	26	AB 671.....	21	AB 1103.....	28	AB 1961.....	6
*AB 377.....	26	AB 678.....	27	AB 1104.....	28	AB 1984.....	18
*AB 378.....	26	AB 681.....	14	AB 1106.....	7	AB 1985.....	17
*AB 379.....	26	*AB 688.....	30	AB 1109.....	16	AB 1997.....	15
*AB 391.....	26	*AB 689.....	27	AB 1113.....	15	AB 1998.....	16
*AB 392.....	26	*AB 690.....	27	*AB 1116.....	10	AB 1999.....	37
*AB 393.....	26	*AB 691.....	27	*AB 1117.....	14	AB 2006.....	36
*AB 394.....	26	*AB 692.....	30	AB 1127.....	28	AB 2013.....	31
*AB 395.....	27	*AB 693.....	15	AB 1128.....	28	*AB 2029.....	16
*AB 396.....	27	*AB 704.....	30	AB 1129.....	28	AB 2061.....	17
*AB 397.....	27	*AB 705.....	30	AB 1134.....	28	AB 2064.....	18
*AB 398.....	27	AB 733.....	8	AB 1135.....	28	AB 2072.....	11
*AB 399.....	27	AB 742.....	23	AB 1136.....	28	*AB 2077.....	22
*AB 400.....	27	*AB 744.....	35	AB 1145.....	16	*AB 2078.....	31
*AB 401.....	34	*AB 745.....	35	AB 1146.....	16	AB 2176.....	17
*AB 402.....	34	*AB 746.....	35	AB 1147.....	16	AB 2181.....	14
*AB 403.....	34	AB 751.....	11	*AB 1150.....	12	AB 2188.....	17
*AB 404.....	34	*AB 752.....	35	*AB 1151.....	25	AB 2196.....	20
*AB 405.....	34	AB 758.....	30	AB 1204.....	18	AB 2200.....	27

## Assembly

No.	Page	No.	Page	No.	Page	No.	Page
AB 2201.....	19	AB 2562.....	31	AB 2774.....	29	●AB 3102.....	8
AB 2202.....	19	AB 2565.....	31	AB 2786.....	24	●AB 3103.....	8
AB 2203.....	19	AB 2570.....	25	AB 2791.....	23	AB 3157.....	15
AB 2220.....	9	AB 2571.....	25	AB 2797.....	37	AB 3172.....	19
AB 2227.....	7	●AB 2601.....	7	AB 2848.....	24	AB 3176.....	11
AB 2249.....	17	AB 2612.....	36	AB 2849.....	24	AB 3177.....	11
AB 2251.....	7	●AB 2638.....	7	AB 2882.....	22	AB 3185.....	26
AB 2261.....	28	●AB 2639.....	6	AB 2886.....	12	AB 3198.....	25
AB 2305.....	9	AB 2650.....	29	AB 2888.....	17	AB 3199.....	25
AB 2310.....	25	AB 2652.....	29	AB 2904.....	25	AB 3204.....	11
AB 2336.....	13	AB 2653.....	29	AB 2921.....	15	AB 3223.....	15
AB 2384.....	37	AB 2655.....	29	AB 2931.....	22	AB 3247.....	14
AB 2343.....	18	●AB 2659.....	8	AB 2934.....	24	AB 3248.....	35
AB 2355.....	9	AB 2660.....	16	AB 2951.....	18	AB 3253.....	32
AB 2438.....	9	AB 2661.....	15	AB 3007.....	27	AB 3305.....	13
AB 2470.....	28	AB 2663.....	15	AB 3015.....	22	AB 3307.....	35
AB 2490.....	22	AB 2665.....	10	AB 3024.....	11	AB 3310.....	36
AB 2501.....	29	AB 2688.....	15	AB 3020.....	16	AB 3315.....	17
AB 2502.....	29	AB 2669.....	16	AB 3045.....	10	AB 3345.....	18
AB 2504.....	36	AB 2670.....	36	AB 3046.....	10	*AB 3376.....	31
AB 2513.....	15	AB 2707.....	37	AB 3047.....	10	AB 3383.....	17
AB 2515.....	14	AB 2723.....	37	AB 3048.....	10	AB 3389.....	18
AB 2523.....	31	AB 2728.....	31	AB 3049.....	11	AB 3395.....	37
AB 2524.....	31	AB 2730.....	23	AB 3056.....	15	AB 3410.....	6
AB 2537.....	14	AB 2738.....	36	AB 3059.....	20	AB 3411.....	8
AB 2539.....	17	AB 2739.....	37	AB 3060.....	22	AB 3423.....	19
AB 2541.....	17	AB 2740.....	10	AB 3065.....	7	AB 3432.....	36
AB 2552.....	16	AB 2761.....	13	AB 3072.....	10	AB 3435.....	15
AB 2559.....	19	AB 2773.....	23	●AB 3101.....	8	AB 3436.....	7

## Assembly Constitutional Amendments

No.	Page	No.	Page	No.	Page
ACA 8.....	9	ACA 27.....	24	ACA 42.....	12
*ACA 11.....	11	ACA 41.....	32		

## Senate

No.	Page	No.	Page	No.	Page	No.	Page
SB 18.....	33	SB 489.....	8	SB 805.....	6	SB 1045.....	29
SB 23.....	22	SB 490.....	27	SB 821.....	12	SB 1046.....	29
SB 30.....	15	SB 494.....	8	SB 827.....	29	SB 1054.....	33
SB 55.....	7	SB 500.....	37	SB 831.....	29	SB 1063.....	8
SB 65.....	6	SB 509.....	18	SB 835.....	29	SB 1117.....	22
SB 86.....	37	SB 510.....	24	SB 836.....	29	SB 1198.....	11
SB 89.....	16	SB 511.....	24	SB 839.....	29	SB 1211.....	8
SB 111.....	15	SB 523.....	19	SB 840.....	29	SB 1214.....	11
SB 112.....	16	SB 524.....	14	SB 841.....	29	SB 1228.....	15
SB 115.....	16	*SB 530.....	36	SB 843.....	31	SB 1241.....	16
SB 120.....	32	*SB 531.....	31	SB 874.....	10	SB 1424.....	25
SB 129.....	16	*SB 532.....	31	*SB 889.....	27	SB 1444.....	20
*SB 139.....	36	*SB 533.....	31	*SB 890.....	27	SB 1446.....	11
*SB 140.....	36	*SB 534.....	31	*SB 891.....	27	SB 1450.....	9
SB 145.....	11	*SB 540.....	36	*SB 892.....	27	SB 1478.....	18
SB 157.....	10	*SB 541.....	36	SB 895.....	24	SB 1492.....	26
SB 176.....	24	SB 551.....	24	SB 905.....	22	SB 1493.....	31
*SB 224.....	36	SB 585.....	20	SB 907.....	22	●SB 1494.....	8
*SB 225.....	36	*SB 587.....	36	SB 921.....	24	●SB 1495.....	8
*SB 226.....	36	*SB 588.....	36	SB 927.....	37	●SB 1496.....	6
SB 228.....	19	SB 609.....	22	SB 945.....	20	SB 1498.....	8
SB 284.....	25	SB 614.....	37	SB 946.....	20	SB 1500.....	24
SB 331.....	22	SB 616.....	17	SB 949.....	21	SB 1508.....	26
SB 357.....	12	*SB 693.....	22	SB 951.....	21	SB 1510.....	18
SB 378.....	8	SB 697.....	37	SB 952.....	21	SB 1513.....	16
SB 402.....	25	SB 698.....	37	SB 953.....	20	*SB 1519.....	36
SB 407.....	8	SB 701.....	37	SB 956.....	20	*SB 1520.....	36
SB 414.....	12	SB 713.....	15	SB 972.....	31	*SB 1521.....	36
SB 431.....	36	SB 752.....	25	SB 1004.....	20	*SB 1522.....	36
SB 432.....	36	SB 755.....	13	SB 1005.....	19	SB 1586.....	19
SB 447.....	29	*SB 787.....	36	SB 1006.....	19	SB 1587.....	19
*SB 462.....	31	*SB 788.....	36	SB 1031.....	12	SB 1609.....	36



## Senate

No.	Page	No.	Page	No.	Page	No.	Page
SB 1611.....	29	SB 1634.....	19	SB 1689.....	7	SB 1702.....	15
SB 1615.....	29	SB 1633.....	7	SB 1693.....	14	SB 1709.....	17
SB 1620.....	32	SB 1645.....	14	●SB 1697.....	6	SB 1722.....	37
SB 1626.....	29	●SB 1657.....	8	●SB 1698.....	8	SB 1735.....	19
SB 1628.....	32	SB 1675.....	8	●SB 1699.....	8	SB 1818.....	24

## Senate Constitutional Amendments

No.	Page	No.	Page	No.	Page	No.	Page
SCA 6.....	10	SCA 10.....	19	SCA 13.....	24	SCA 19.....	26
SCA 9.....	22	SCA 11.....	22	SCA 14.....	37		

## Senate Concurrent Resolutions

No.	Page
SCR 94.....	8

## Senate Joint Resolutions

No.	Page
SJR 10.....	24

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