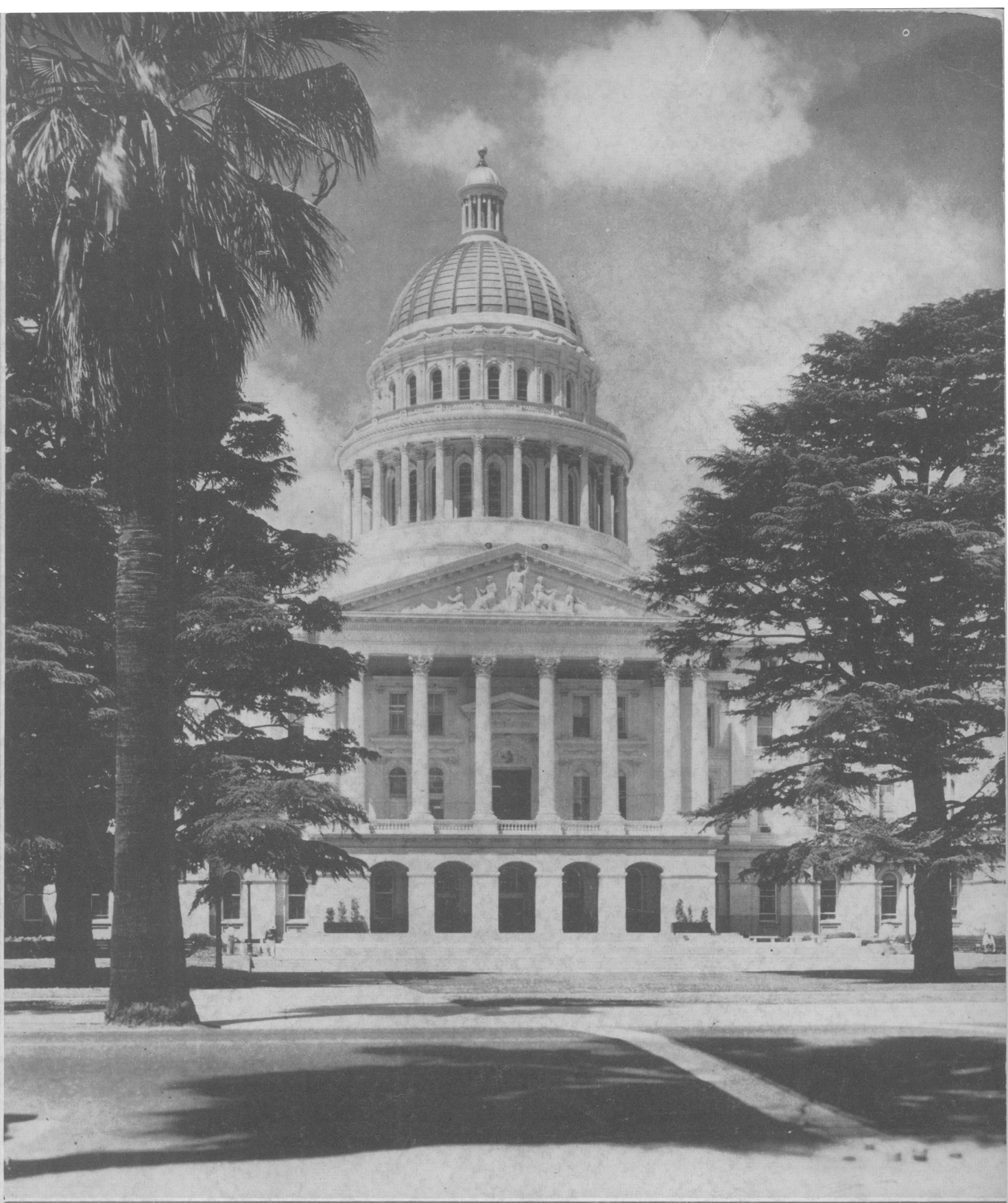


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THE SACRAMENTO STORY
Labor and the Legislature

LABOR LEGISLATION

**REPORT ON
1961 REGULAR SESSION OF THE
CALIFORNIA LEGISLATURE**

January 2 to June 16

1961

Issued by
CALIFORNIA LABOR FEDERATION, AFL-GIO

THOS. L. PITTS

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REPORT ON LABOR LEGISLATION

1961 Regular Session of the California Legislature

January 2 to June 16, 1961

FOREWORD BY THE SECRETARY

The 1961 general session of the California legislature convened in Sacramento on January 2 and ran continuously for 120 legislative days, exclusive of Saturdays and Sundays, until final adjournment at midnight, June 16. From labor's point of view, it was a session which produced a considerable amount of progressive legislation, but one which also left behind it a large residue of unfinished business in many areas of legislative activity of fundamental importance to the workingman and the general public. In the various sections of this report, therefore, the areas of substantial achievement are carefully measured in terms of the many challenges which remain before us.

The Sacramento story for 1961, however, is more than a balance sheet of achievements and disappointments. From the outset in January, the session was more or less destined to become politically oriented because of a general preoccupation with reapportionment issues. Inevitably, the concern of members of the Assembly with their own political survival and future in the reapportionment of Assembly and Congressional districts for the decade ahead was an unsettling factor which detracted considerably from sporadic efforts to come to grips with some of the important socioeconomic issues facing the state. In the lower house, therefore, where liberal legislation is usually initiated, the Federation was confronted with a dominant feeling of apathy toward issues in the broad range of labor's legislative program, embracing some one hundred and eighty bills introduced early in the session.

On the Senate side, labor's uphill struggle was compounded many times by the composition of key committees named by the Rules Committee to pass upon basic labor legislation approved in the Assembly and sent to the upper house. Despite the generally liberal composition of the Senate in numbers, both the Senate Labor Committee and the Committee on Insurance and Financial Institutions presented formidable obstacles. The Senate labor unit, which was destined to pass on all general Labor Code changes, including minimum wage legislation and basic labor bills affecting labor-management relations, was thoroughly dominated by conservatives and rural legislators whose deter-

mination to block liberal measures was openly recognized. Out of seven members on this committee, the Federation could anticipate only one favorable vote on issues of crucial importance to the workingmen and women of this state. The Committee on Insurance and Financial Institutions, with jurisdiction embracing all social insurance legislation in workmen's compensation, unemployment disability insurance and unemployment compensation, contained a better balance, but, at best, it was also conservatively oriented. An added factor to be considered in this situation was the traditional role of authority and the life and death control over legislation granted Senate committees. Unlike the Assembly, the upper house has an unwritten rule, faithfully adhered to by its members, which precludes any attempt to withdraw a bill from committee.

The committee structure in the Senate, in turn, exerted a powerful influence on the lower house against the initiation of liberal legislation. Many Assemblymen otherwise friendly to the interests of the workingman felt compelled to resist lower house action on legislation which was considered unacceptable to the Senate. Almost without exception, legislative programs advanced by the Federation ran smack into this reluctance, which served to fortify the prevailing apathy towards issues stemming from the Assembly's preoccupation with the politics of reapportionment.

Under these circumstances, it is not surprising that the outcome of the Federation's efforts remained in doubt until the closing days of the session. Given the many obstacles encountered throughout the legislative process, the real Sacramento story is that the Federation was able to sur-

mount any of them in the successes finally recorded when the session adjourned. Indeed, the achievements spelled out in the various sections of this report can be fully appreciated only in the context of the obstacles which the Federation had to overcome. In this, however, a great deal of credit also goes to the Administration of Governor Edmund G. Brown. In many areas of legislative activity vital to organized labor, the Administration assumed a leadership role which pulled legislators out of the political doldrums and gave orientation to their efforts. Without this leadership, it is doubtful that organized labor would have been able to survive the session with anything approaching the improvements won.

MAJOR DEVELOPMENTS

Social Insurance Legislation

In terms of bread and butter issues, measured by advancements in workmen's compensation, unemployment insurance and unemployment disability compensation, the session produced gains conservatively estimated at \$15 million a year in additional benefits. These cash benefits will be derived from the following:

(1) An increase from \$65 to \$70 a week in the maximum unemployment disability insurance benefit, with provision for automatic annual adjustment of the maximum to assure a top benefit equal to two-thirds of average weekly wages in covered employment.

(2) Individual increases in unemployment insurance benefits ranging from \$1 to \$3 a week by compression of the benefits schedule within the \$55 maximum benefit amount.

(3) A \$5 per week increase in both the minimum and maximum benefit for temporary disability under workmen's compensation.

It is to be noted that these advancements do not include what was perhaps the greatest achievement of the entire session in the field of social insurance legislation; namely, the extension of the state unemployment disability insurance program to cover farm workers. Benefit payments to farm workers under this precedent-setting measure could run up to \$8 million a year on the one percent contribution which they will make to the unemployment disability insurance fund on their limited earnings.

Nor does the \$15 million figure take into consideration some \$6 million in added unemployment benefits to jobless workers exhausting their primary benefits, which were provided early in the session by "triggering" the 1959 state extended benefits law by one month in advance of the time it would have otherwise gone into operation. Still another improvement, which cannot be measured in monetary terms, was the enactment of a potentially far-reaching bill which makes unemployment insurance payments available as part of the basic benefit structure to jobless workers who have been displaced by technological advancements and who are undergoing bona fide retraining. The retraining benefits, if properly utilized, will offer new hope to victims of automation who face serious income maintenance problems when they undertake retraining for the development of new skills.

While all of these advancements represent significant accomplishments at the 1961 session, they should not be allowed to obscure the nature of the fundamental victory won in unemployment disability insurance. The establishment of an escalator clause in this program, geared to the concept long advocated by the Federation that the weekly benefit amount should equal two-thirds of average wages in covered employment, perfects the liberal benefit structure which labor has developed over the years since enactment of the disability insurance program in 1946. Beyond this far-reaching improvement, as detailed in the disability insurance section of "The Sacramento Story," necessary adjustments in the contribution base were also enacted so that the program will be properly funded. These adjustments, in turn, were combined with a transfer of some \$70 million of worker contributions long tied up in the unemployment insurance fund for use in the financing of disability insurance benefits, along with the enactment of provisions designed to remove state plan subsidies to so-called voluntary plans of private carriers. It is anticipated that, with proper administration of these revisions, so-called voluntary plan coverage will be reduced from a present 29 percent to 5 percent of total coverage.

Labor Legislation

While major legislation advanced by the Federation in this important area of activity fell far short of passage, it is significant that anti-labor employer groups were clearly placed on the defensive. Con-

trary to past sessions where punitive legislation against labor has occupied a great deal of the Federation's energies, the focus of action at the 1961 session in labor legislation was on Federation-sponsored measures aimed at plugging gaps in the Labor Code and repealing the legislative transgressions of the past. Although a cleverly camouflaged "right to work" measure was introduced in the Senate, even the Senate Labor Committee refused to give it any consideration or recognition.

On the other hand, the Federation seized the initiative with a series of bills which established procedures for the determination of collective bargaining rights in intrastate commerce, prohibited the use of professional strikebreakers, and combined repeal of the state's so-called Jurisdictional Strike Act and the unconstitutional hot cargo law with positive legislation to restrict the issuance of anti-labor injunctions through enactment of a state "little Norris-LaGuardia Act."

Both the collective bargaining procedures bill and the measure to prohibit the use of strikebreakers failed to get out of Assembly committee. In the lower house, the focus of attention was directed to the proposed "little Norris-LaGuardia Act," with the Jurisdictional Strike Act and hot cargo repealers. Although defeat of the measure in the Assembly was a crushing blow to the enactment of any constructive legislation directly affecting labor-management relations, the intensive debates on the floor served as an educational medium for many legislators who heretofore were oblivious of the widespread misuse of the injunctive process.

The debate on the "little Norris-LaGuardia Act," furthermore, had the effect of shaking loose a follow-up bill which confined itself to the repeal of the unconstitutional hot cargo act. This repealer act, however, died in the Senate.

In other areas of basic labor interest, the Senate also dealt a swift blow to the Federation's minimum wage bill, providing for \$1.25 per hour and a piece-rate for agriculture, which was pushed through the lower house on a close vote. The Senate labor unit performed its chore well by killing it after a brief hearing which produced only one vote on behalf of the sorely needed measure.

Despite all these setbacks, the Federation nevertheless secured passage of two general Labor

Code changes: a measure to strengthen wage security provisions in logging and sawmill operations, and a bill which provides for enforcement of apprenticeship fund contributions.

One of the few additional Labor Code measures that managed to get past the Senate Labor Committee and signed into law was a bill which strengthens the Division of Industrial Welfare's authority to enforce wage orders of the Industrial Welfare Commission, including the power of enforcement by civil action.

Other Federation Measures Enacted

The Federation's legislative program, generally, was the broadest in scope ever presented to the state legislature. In most instances, these proposals fell short of passage, although introduction frequently precipitated legislative action which otherwise might not have been forthcoming.

Several Federation bills which won legislative approval and were signed into law by Governor Brown include:

—A measure designed to correct abuses in the use of prison labor.

—Legislation increasing by 10 per cent the income eligibility limits for the use of state-supported child care centers.

—A bill restricting the use of the word "hospital" by nursing and convalescent homes unless such facilities identify themselves by descriptive language in conjunction with the use of "hospital".

—Legislation extending basic protections against arbitrary dismissal to all probationary school teachers in the state.

—A bill correcting abuses of the owner-builder exemption under the state contractor's licensing law.

In the public employment field, the Federation also accomplished a major objective with the passage of a measure establishing a liberal formula for coordination of the state employees' retirement system with federal social security and giving individual state employees the option of electing coordination without a referendum vote. A Federation-sponsored measure on the subject was dropped early in the session in order to work with the author of the bill eventually signed into law by the

Governor. Passage of the social security coordination bill was a major victory for AFL-CIO affiliated organizations which worked diligently to push it through the legislature over the opposition of the California State Employees Association. A referendum requirement which was inserted into the bill by the CSEA on the Senate side was removed in conference committee before its final passage.

General Legislation

The Federation's interest and activities in Sacramento extended far beyond specific proposals introduced pursuant to the legislative mandates of convention actions. In every area of state AFL-CIO interest, Federation representatives were active in supporting legislation consistent with convention policies and opposing measures antagonistic to the welfare of workers and the general public.

In the broad field of civil rights legislation, as in past sessions, the Federation combined its efforts with the various minority groups behind legislation advanced under the coordination of the California Committee for Fair Practices. Defeat of the Hawkins fair housing bill and other legislation aimed at eliminating discriminatory practices by licensees of the state were major disappointments of the session. Despite these defeats, a measure of success was achieved with the passage of several bills outlawing restrictive covenants as such, strengthening equal rights policies in redevelopment projects, and extending the ban on discrimination in publicly-assisted housing to cover the Cal-Vet program. A very weak but significant first step was also taken by the legislature with the passage of a bill making employment discrimination because of age an unlawful practice. Beyond these enactments, perhaps the greatest single achievement in equal rights legislation was the passage of a measure which completely recasts the much-abused vagrancy law to prohibit arrests based on "status in life" and to require the filing of specific charges based on unlawful acts before a person may be arrested.

In housing legislation, although the Federation's major bill to establish a California Mortgage Authority failed to get off the ground, a number of progressive pieces of legislation were approved. Among these were: submission to the voters of a \$100 million state bond issue to help finance low-cost rental housing for elderly citizens; establishment of more specific state requirements regarding

the provision of housing within the financial means of displaced families in redevelopment projects; authorization for redevelopment agencies to make land available to housing authorities for the construction of low-rent public housing; broadening of the state's authority to enforce safe housing standards; and creation of a Governor's Housing Study Commission aimed at developing new state programs and approaches to the housing needs of low and middle income families.

In the field of farm labor legislation, the defeat of the Federation's minimum wage bill, along with proposals for establishment of collective bargaining procedures and curbing the use of anti-labor injunctions, all dealt a serious blow to labor's efforts to alleviate the growing plight of farm workers. These defeats were at least partially offset, however, by the major breakthrough scored with the extension of the state's unemployment disability insurance program to agriculture, as noted previously. The legislature also approved a pilot program to provide health care for seasonal farm workers and their families in a cooperative arrangement between the state Department of Public Health and local health departments, and created a Governor's Agricultural Study Commission to look into agricultural labor problems for future recommendation to the Governor and the legislature.

In school legislation, the most significant achievement was the approval of the Fisher reform bill in the credentialing of teachers, which, in addition to reducing the number of credentials from forty to a basic five, also places emphasis on subject matter competence in the training of teachers. Organized labor was a major supporter of the Fisher bill, which had the strong backing of the Governor's office. In other areas of school legislation, the session improved the ratio of school expenditures going for classroom instruction, provided for statewide testing of elementary and high school students, with free choice of tests approved by the state, established a state-financed educational program for gifted children, and approved state aid for educational TV, including formation of a TV educational advisory committee.

In taxation, despite a tight budget situation, the Governor and the legislature were able to develop accord behind a bill which exempts prescription drugs from the sales tax—a reform long advocated

by organized labor. Another sales tax reform prohibits the use of unofficial tax schedules by retailers, and requires the development of an official schedule which gives consumers greater protection against over-assessment of the regressive sales tax levy.

In social welfare legislation, the quantity and quality of liberalization enacted in the categorical aid programs was without precedent in the recent history of the legislature. The far-reaching scope of these improvements, as detailed in the social welfare section of this report, constitute one of the most impressive performances of the 1961 session.

In still another important area of activity, the legislature provided new tools for use in vocational training and retraining of workers. In addition to approving unemployment payments while undergoing retraining, noted above, the legislature also broadened the authority of the Division of Apprenticeship Standards to promote on-the-job training, to (1) keep journeymen in apprenticeable occupations abreast of technological advancements, and (2) develop labor-management programs in non-apprenticeable occupations for workers entering the labor market for the first time, or workers entering new occupations because of displacement caused by technological advancements.

These and many other improvements, including measures to protect workers and the public generally against radiation hazards in the use of atomic energy, all contributed to the ultimate success of the session.

LABOR'S FRIENDS

"The Sacramento Story" is developed as a report to affiliates and members of the AFL-CIO on the broad scope of organized labor's interests and activities in the state capital. Its purpose, however, goes beyond the legislative issues involved, and is also intended to acquaint local movements with the performance of their elected representatives.

For this purpose, the usual tabulation of roll call "test votes" on the floor of the respective houses of the legislature is inserted as a part of the Sacramento story for 1961. In using these tabulations, however, it is important to recognize that floor votes represent only one phase of the legislative process, and quite frequently not the most im-

portant phase. Many bills are severely weakened prior to reaching the floor, either by committee action or by compromise developed behind the scenes. It is not uncommon for legislators who have worked to kill or weaken a bill in these phases of the legislative process to cast a record vote in support of the measure on the floor. Further, the casting of a floor vote does not distinguish between those legislators who work actively to influence the outcome of proposed legislation and those who merely cast their vote. In rewarding our friends and opposing our enemies, therefore, the total record of legislators should be taken into consideration.

Finally, I wish to express my appreciation for the assistance given me in carrying out my legislative duties in Sacramento. In particular, I call to your attention the invaluable services of President Albin J. Gruhn, whose presence in Sacramento throughout the session, together with Vice President Harry Finks, General Counsel Charles P. Scully and the remainder of the legislative staff, made it possible to carry out the Federation's legislative tasks. Without their untiring efforts, and the general assistance extended by representatives of affiliated organizations who also worked closely with the Federation, I am confident that many of the challenges of the 1961 session could not have been successfully met and resolved.

The assistance of many local unions and organizations which undertook responsibility to help us in our work by communicating labor's positions on key measures to their representatives in Sacramento is also deeply appreciated. On several occasions when it was necessary to call upon local movements for such assistance, the response was both immediate and generally effective. Appreciation is extended also to the members of the legislative committee of the Federation—Manuel Dias, chairman, W. J. Bassett, M. R. Callahan, Arthur Dougherty, Lowell Nelson, and Herbert Wilson—whose availability throughout the session for guidance and assistance in formulating legislative policy proved of immeasurable value.

Fraternalty yours,

THOS. L. PITTS

Secretary-Treasurer

SUMMARY AND REPORT ON LEGISLATION

AGRICULTURE AND AGRICULTURAL LABOR

By far the most outstanding achievement of the 1961 session in legislation affecting farm workers was the passage of a Federation-sponsored bill extending the state unemployment disability insurance program to farm workers, ***AB 1663**. The approval of this precedent-setting measure in social insurance partially offset the loss of other basic measures aimed at helping farm workers in their struggle for a better life. In addition to unemployment insurance coverage, these defeated measures included general labor bills applicable to agriculture which would have restricted the use of anti-labor injunctions, established a state minimum wage, and provided procedures for determination of collective bargaining rights in intrastate commerce, all of which are covered under appropriate sections of this report. Corporate agriculture was one of the primary forces which killed these Federation-sponsored bills.

A measure of progress was also recorded in the passage of **SB 282**, implementing the Governor's recommendation for a pilot program to provide health care for seasonal workers and their families. Another Governor's recommendation was approved in **SB 993** creating a Governor's Agricultural Study Commission. A long overdue field sanitation bill, **AB 851**, squeaked by the Senate Agriculture Committee but was dumped by the upper house Committee on Finance.

On balance, despite the many glaring omissions, a measure of real progress in the field of agricultural labor was achieved in the 1961 session, primarily because of the passage of the Federation's disability insurance coverage bill.

(See also LABOR CODE CHANGES, GENERAL; LABOR UNIONS; UNEMPLOYMENT INSURANCE; UNEMPLOYMENT DISABILITY INSURANCE; and WORKMEN'S COMPENSATION.)

Good Bills

Bills marked * were sponsored by the Federation

AB 772 (DeLotto). Required surety bonds of farm labor contractors posted with Labor Commissioner be equal to periodic payroll or \$1,000, whichever was greater, conditioned on payment of all wages by contractor. Died in Assembly Committee.

AB 773 (DeLotto). Applied similar requirement as in **AB 772**, above, to employment agencies acting as labor contractors. Died in Assembly Committee

AB 1045 (George E. Brown). As introduced at

the request of the Department of Industrial Relations, placed all employee housing under law regulating farm labor camps; required annual, pre-occupancy registration, and otherwise strengthened and clarified labor camp law. As finally passed after weakening amendments in the Senate Labor Committee, provides only for annual, pre-occupancy registration, without broadening scope of law to include all farm employee housing. Chapter 1309.

***AB 1663 (Hawkins)**. As introduced, provided for the extension of unemployment compensation and unemployment disability insurance to farm workers. Amended in the Assembly to confine coverage to the state unemployment disability insurance program, and as such, was carefully guided through the legislature. Chapter 2155.

AB 2237 (Mills). As introduced, required labeling of poultry both for any chemical preservatives added and designation of state in which it was grown. With the passage of **SB 3**, bill was amended to cover only chemical preservatives. As finally passed, requires poultry meat sold in whole carcasses to be labeled with the name of any spoilage retardant compound added to the poultry to retard or limit spoilage. Chapter 1895.

AB 2503 (Casey). Established a balanced agricultural labor resources committee to coordinate public and private activities aimed at improving the plight of farm workers and their families and developing a dependable and stable domestic agricultural labor force. Passed by the Assembly, but killed in Senate Committee in favor of **SB 993**.

AB 3082 (Burton). Would have provided that packers be considered as engaged in a non-agricultural industry, thus removing their agricultural exemption from various social insurance and labor laws. Died in Assembly Committee.

Assembly House Resolution 436 (Munnell). Calls upon the State Department of Agriculture to study

the growing plight of farm workers in relationship to large-scale operators, specifically with reference to low wage rates paid farm workers by large growers which establish a ceiling on the return of working farmers for their personal and family labor. This resolution was adopted following defeat in Senate Labor Committee of the Assembly-approved state minimum wage bill. (See LABOR CODE CHANGES, GENERAL.)

SB 1 (Rattigan; co-authored by Assemblyman Bagley). Makes it unlawful for anyone other than a consumer to remove from poultry the official inspection mark for wholesomeness; prohibits marking uninspected poultry with an inspection mark. Chapter 720.

SB 2 (Rattigan). Provided that the word California on eggs indicated that the eggs were produced in California unless plainly marked to indicate otherwise. Referred to interim committee study by the Senate.

SB 3 (Rattigan; co-authored by Assemblyman Bagley). As introduced, would have required all poultry offered for sale, packaged or otherwise, to be labeled to show the state in which it was grown. As amended and passed, requires whole carcasses of chicken poultry meat to be so labeled. Chapter 654.

SB 282 (O'Sullivan; co-authored by Assemblyman Frew). Introduced at request of Governor, permits State Department of Public Health, in cooperation with local agencies, federal government and voluntary agencies, to maintain a health program for seasonal agricultural and migratory workers and their families. A limited \$75,000 appropriation makes this only a pilot program. Chapter 337.

SB 851 (Cobey). As introduced, required sanitary facilities for employees in harvesting operations of fruits, nuts and vegetables, and provided for enforcement by regulation under the Department of Public Health in consultation with the Departments of Agriculture and Industrial Relations. Following initial defeat in Senate Agriculture Committee, the bill was amended and given committee approval in a weakened form, requiring such facilities to be within a five-minute walk of the harvesting operations. After clearing this hurdle, it was finally killed in Senate Finance Committee.

SB 1505 (O'Sullivan). Provided for a program of medical and health care for agricultural workers, financed by a one percent payroll contribution by farm worker and grower on wages up to \$4800; established scope of care and provided for administration under the Department of Employment, with authority to contract with providers of medical and hospital care. Died in Senate Committee.

Bad Bills

AB 260 (Garrigus). Extended weaker child care provisions of Labor Code governing field workers to harvest work, thus exempting minors over the age of 16, rather than 18, from minimum wage orders of Industrial Welfare Commission. Died in Assembly Committee.

AB 2338 (Cologne). As introduced, removed 18-inch minimum seating space for farm labor buses and trucks, allowing minimum of 14 $\frac{3}{4}$ inches for each passenger when the average weight of all passengers does not exceed 150 pounds. Claimed purpose of bill was to allow use of school buses to transport farm labor. As finally passed, carried Federation-sponsored amendments, recasting the bill to provide no farm labor bus used primarily or regularly for the transportation of farm laborers might be operated when more passengers were being carried in each seat than the number for which that seat was originally designed, and in no case should the amount of seat space provided be less than 14 $\frac{3}{4}$ inches for each passenger. Amendments also provided that, regardless of seating capacity, each person must be provided seating space of sufficient size to accommodate him, reducing the number of passengers to conform to this requirement, if necessary. Pocket-vetoed by the Governor.

Other Bills

AB 2099 (Pattee). Removes farm labor buses from 18-inch minimum seating space requirement, and permits such buses used primarily or regularly for the transportation of farm workers to be operated if the number of passengers in each seat do not exceed the number for which that seat was originally designed, provided that the amount of space is not less than 16 inches for each passenger. Designed to allow use of discarded school buses for farm labor. Chapter 573.

AB 2339 (Cologne). Provides that when seating is face-to-face in farm labor buses or trucks, the nearest portion of the back of the facing seats shall be 43 inches apart, rather than a required aisle of 24 inches. Chapter 572.

AJR 15 (House). Requests Congress to provide protection to domestic producers of vegetables and wines from foreign competition. Filed with Secretary of State. Chapter 96.

SB 523 (O'Sullivan). Introduced at the request of the Department of Agriculture, authorizes Director, with approval of Governor, to appoint a special committee to study and advise on special problems affecting the agricultural industry, and the work of the Department. Chapter 1465.

SB 993 (O'Sullivan; co-authored by Assemblyman

Casey). As amended and passed, creates five-member Agricultural Labor Commission to be appointed by the Governor to act as a fact-finding body to ascertain, study and analyze problems of labor-management relations in California agriculture, and report to the Governor and legislature its findings and recommendations on January 31, 1963. Members serve without compensation, except for necessary expenses, and Departments of Agriculture, Employment and Industrial Relations are required to cooperate with the commission. Carries \$5,000 appropriation. Chapter 1785.

SCR 27 (Byrne). Requests State Division of Housing to initiate a survey of family housing for migrant agricultural workers and report its findings to the legislature prior to January 1, 1962. Filed with Secretary of State. Chapter 77.

SJR 20 (Farr). Requests Congress to enact a national minimum wage law for agricultural workers. Filed with Secretary of State, Chapter 69.

BARBERS AND COSMETOLOGISTS

Good Bills

AB 343 (George E. Brown). Required out-of-state experience used to obtain a state barber's license to be in a shop open to the public. Died in Assembly committee.

AB 1056 (Kennick). Made provision for manager-cosmetologist who may engage in practice independent of personal supervision. Required such cosmetological establishment to be under direct supervision and management of a licensed manager-cosmetologist. Referred to interim committee study by Assembly.

AB 1057 (Kennick). Required applicant for cosmetology establishment certificate to show compliance with specified requirements as to floor space and ventilation; permitted inspection of premises by State Board of Cosmetology. Referred to interim committee study by Assembly.

AB 1155 (McMillan). Required that schools of cosmetology inform students of educational requirements for licensing. Provided for school submitting proof of student's education to State Board of Cosmetology within ninety days of enrollment. Passed Assembly, but died in Senate committee.

AB 1156 (McMillan). Requires student who enrolls in school of cosmetology or electrology to pay enrollment fee to State Board of Cosmetology; requires board, in turn, to issue registration card to student and copy thereof to school. Specifies en-

rollment fee of not more than \$5 nor less than \$2 as set by board, and exempts from provisions person who is an inmate of an institution. Chapter 2044.

SB 597 (Thompson). Increases minimum age of barber-apprentice certificate applicant, after January 1, 1963, from 16½ years to 17½ years of age, and for a barber's certificate from 18 to 19. Makes minimum age increases applicable to persons applying for certificates pursuant to reciprocity provisions contained in barber law. Provides also that examination for determination of education equivalent of apprentice applicant under reciprocity provisions may be given by an examining agency prescribed by state barber board. Chapter 538.

SB 598 (Thompson). Requires barber college to secure approval of State Board of Barber Examiners before changing location of college or expanding facilities by adding additional barber chairs. Chapter 1265.

SB 601 (Thompson). Makes it unlawful for barber college to render service under representation that fee which is charged for such service is at a discount or is at a percentage or otherwise less than the average fee regularly charged under like conditions by a barber college or by other persons for such service. Chapter 403.

Bad Bills

AB 1612 (O'Connell). Added tools to those articles which a cosmetology school does not have to supply its students without further charge. Referred to interim committee study by Assembly.

SB 331 (Thompson). Changed qualifications for cosmetologist licensing from training of at least 1600 hours extending over a school term of nine months to training of at least 2000 hours. Died in Senate committee.

SB 344 (Thompson). Substituted a hairdresser's license, cosmetician's license and cosmetologist's license for present single license as a cosmetologist. Died in Senate committee.

Other Bills

AB 244 (Hegland). Generally regulated schools of cosmetology by increasing requirements for teacher preparation, limiting the number of hours that the school can remain open to the public, and forbidding the advertising of student work. Referred to interim committee study by Assembly.

AB 602 (Bee). Allows cosmetology board to issue temporary permits not to exceed three days to any

cosmetologist who is a member of a national non-profit organization composed of at least 20,000 members for practice at national or state conventions or trade fairs. Chapter 1290.

AB 1065 (McMillan). Makes various changes in regulation of practice of cosmetology, including: examinations and licenses of junior operators; limiting of locations to operate cosmetological establishments; requirements re officers of corporations holding cosmetology school licenses; and fees charged for applicants and inspections of schools of cosmetology and electrology. Chapter 1850.

AB 1153 (McMillan). Increases barber's examination fee from \$15 to \$20 and fee for issuance of certificate therefor from \$3 to \$5. Increases apprentice examination fee from \$7 to \$10 and fee for issuance of certificate therefor from \$2 to \$3. Provides for restoration fee for expired certificate of twice amount of renewal fee in effect when application for restoration is filed, rather than specifying fixed amount for various certificates. Deletes fee charged applicant for examination to determine preliminary education. Chapter 1857.

AB 1297 (Pattee). Restricts issuance of barber college certificate of registration to operate new barber college unless applicant shows proof that there is in county wherein college is to be established a population of at least 500,000 for each barber college in operation, and an additional 500,000 or more for the new college. Prohibits barber board from issuing certificate for new college in a city where ratio of population of city is less than 150,000 for each college. Chapter 1478.

AB 1610 (O'Connell). Authorizes examiners to administer and grade cosmetology examinations under standards and procedures established by state cosmetology board, rather than requiring the board to administer and grade examinations. Requires examiners in cosmetology and examiners in electrology to hold valid license in their respective fields at time of appointment. Requires further

that inspectors have at least three years' experience in licensed practice of cosmetology at time of appointment. Chapter 1112.

AB 1611 (O'Connell). Increases membership of State Board of Cosmetology from 5 to 7 by adding one new member participating in management of a school of cosmetology or electrology, and one new member appointed from the public at large. Restates qualifications for appointment to board. Prohibits public member and licensee member participating in management of school from assisting in preparation, approval or review of examinations. Chapter 2172.

AB 1730 (McMillan). Permits an examining agency prescribed by barber examiners board, rather than the board itself, to examine applicants for admission to barber colleges when necessary to determine if such applicants have education equivalent to ninth grade. Revises course of instruction given in college of barbering. Chapter 1119.

SB 468 (Gibson). Provides for biennial licensing, rather than annual licensing, by state board of barber examiners, effective October 1, 1961. Chapter 365.

SB 471 (Gibson). Provides for biennial licensing, rather than annual licensing, by State Board of Cosmetology, effective October 1, 1961. Chapter 1635.

SB 600 (Thompson). Revises qualifications for registration as instructor in barber college by requiring applicant, among other things, to have completed 12th grade or equivalent as determined by examining agency approved by board of examiners. Requires persons holding such certificates of registration, and who are engaged in instructing, to attend seminar on barbering, approved by board, at least once every two years. Requires that board approve such seminars based upon subject matter given, time devoted to each subject, and general manner in which conducted. Chapter 1954.

CIVIL RIGHTS AND CIVIL LIBERTIES

The major objective in civil rights legislation at the 1961 session was to consolidate and build upon the far-reaching advancements made at the 1959 session with the enactment of the state Fair Employment Practices law and anti-bias legislation in housing, limited to publicly-assisted accommodations with

court enforcement. As in the past, in this objective, the Federation combined its efforts with various minority groups behind legislation advanced under the coordination of the California Committee on Fair Practices.

AB 801, the Hawkins Fair Housing bill, and several measures to make discrimination a cause for revocation or suspension of licenses issued by the state, were the key civil rights bills advanced by the coordinating committee. Unfortunately, after an uphill struggle in the Assembly, these and other basic measures were defeated in the Senate at the hands of the Senate Committee on Governmental Efficiency.

Nevertheless, some progress was made at the 1961 session, as indicated below in the passage of a number of less important bills. But even in these limited achievements, advocates of equal rights legislation were repeatedly disappointed by the weakening of Assembly-approved bills in Senate committee before upper house passage. The one exception, and perhaps the most solid accomplishment, was the passage of **AB 874**, revamping the much abused vagrancy law of arrest. Representing the first significant change in the vagrancy law in centuries, the O'Connell bill shifts the test in vagrancy arrests from "status in life" to illegal acts.

Overall, however, the general tenor of the session in the civil rights field was set by the rough treatment given **AB 801**, clearly the most important proposal before the legislature, both in terms of content and the amount of work and energy it absorbed. The measure got off to a fast start by receiving early clearance from the Assembly Committee on Governmental Efficiency and Economy. In its original form, the bill extended the 1959 Hawkins law against discrimination in publicly-assisted housing to cover all housing except single unit dwellings occupied by their owners, and provided for enforcement by the state FEP Commission, instead of court action by the aggrieved person as in the present law.

The powerful real estate lobby launched a major campaign against the measure as it moved to the Assembly Ways and Means Committee for financial clearance on a minor implied appropriation for enforcement. In the face of this opposition, and the determination of the Ways and Means Committee to assume political control over the bill, it became necessary to remove virtually all of the bill's broadened coverage provisions in order to secure its release to the floor.

In this weakened form, in the middle of May, the Hawkins Fair Housing bill squeaked by the Assembly on a 44 to 31 vote (passage requires 41 votes). Its main feature as it was sent to the upper house was the provision for enforcement of the anti-discrimination ban under the state FEP Commission. Further consideration of the bill by the Senate Committee on Governmental Efficiency was held up until the first week of June, when the eleven-member committee, consisting of eight Democrats and three Republicans, killed the bill by sending it to interim committee for study. The action was on a close voice vote without any demand by committee members for a roll call.

In the face of this defeat, and the loss of anti-discrimination bills affecting state licensees, it cannot be said that the legislature moved California closer in any substantial manner toward the goal of securing equal rights for all citizens with the passage of several minor bills.

Among the bills which managed to get by the Senate was **AB 1970**, extending the 1959 ban against discrimination in publicly-assisted housing to include the Cal-Vet program. The effect of this measure was to establish a legislative base for non-discrimination policies being pursued by the Department of Veterans Affairs under an attorney general's opinion. In addition, some measures were passed relating to restrictive covenants and non-discrimination in the transfer of real property in redevelopment projects. A very mild bill aimed at stopping employment discrimination because of age was enacted into law.

Considerable effort at the 1961 session was also spent on several bills aimed at coming to grips with the housing problem for low and middle income groups, which is closely related to the elimination of discrimination in housing. These bills, focusing primarily on replacement accommodations in redevelopment projects, are reported under **HOUSING AND URBAN REDEVELOPMENT**.

On the civil liberties front, the session was marked by the defeat of a considerable body of legislation which would have infringed upon basic civil liberties in an attempt to strengthen laws against traffic in narcotics and obscene literature. All bills to repeal the Cahan decision barring court

use of illegally obtained information were also defeated, along with other damaging legislation aimed at extending searches and seizures.

Good Bills

AB 65 (Carrell). Extends privilege given to newspaper owners, editors and reporters to keep secret their source of news information, to such persons connected with or employed by press associations and wire services, and to radio and television news reporters or other persons connected with or employed by radio or television stations as to source of any information procured and used for news or news commentary purposes on radio or television. Chapter 629.

AB 69 (Burton). Made continued and wilful practice of discrimination by state licensees grounds for suspension or revocation of any license issued by the state for the conduct of any profession, vocation, or calling. Passed Assembly by vote of 51 to 15. Died in Senate committee.

AB 101 (Elliott). As introduced and passed by the Assembly, set forth a more comprehensive policy than in present law on non-discrimination in the use of property in redevelopment and urban renewal projects. Before Senate passage, however, a committee amendment deleted the most clearly stated enforcement clause in the bill. Chapter 2167.

AB 612 (Bradley). Simply declares a restrictive covenant to be void. Chapter 1078.

AB 732 (Burton). Clarified that religion, national origin, and ancestry, as well as race or color, shall not be considered by any insurer in issuing motor vehicle liability insurance or in setting the premium for such insurance. Pocket-vetoed by Governor in favor of AB 2605 covering the subject.

AB 733 (Burton). Added color and national origin to race and religion as items not to be considered in the administration of social welfare programs. Approved by Assembly without opposition. Died in Senate committee.

AB 734 (Burton). Deleted requirement that marriage certificate include race or color of parties married. Passed by legislature, but pocket-vetoed by Governor in favor of SB 824.

AB 801 (Hawkins). As introduced, amended the 1959 Fair Housing Act covering publicly assisted housing to prohibit discrimination in the sale, lease or rental of all housing, except a single unit dwelling occupied in whole or in part by the owner as his residence, and also provided for enforcement of the broadened law by administrative action under the state Fair Employment Practices Commission. As such, the bill received Assembly policy committee approval, but was refused clearance by the Assembly Ways and Means Committee despite several weakening amendments cutting back coverage provisions

on private housing. The measure was revived by further far-reaching amendments limiting coverage essentially to the publicly-assisted housing already covered under the 1959 law, but retaining the provisions for administrative enforcement under the State Fair Employment Practices Commission. As such, received Ways and Means Committee approval, and was passed by the Assembly by a vote of 44 to 31. On the Senate side, consideration of the bill was held up in committee until the closing weeks of the session, when, after a brief committee hearing, it was defeated by referral back to the Assembly for interim committee study.

AB 874 (O'Connell). Makes far-reaching changes in the law of vagrancy; repeals section containing most of existing law designating certain misdemeanors as "vagrancy"; enacts revised law, differing basically from existing law in that it does not penalize the status or condition of life of an individual, but rather penalizes specific acts as disorderly conduct. Chapter 560.

AB 1225 (Burton). Made it explicitly unlawful to discriminate against an applicant for a civil service job on the basis of color, religion or national origin, in addition to the existing prohibition against discrimination because of sex, race, and marital status. Passed Assembly by a vote of 44 to 18. Died in Senate committee.

AB 1227 (Burton). Changes the term "citizen" to "person" in the Unruh Civil Rights Act adopted in 1959. Chapter 1187.

AB 1294 (Hawkins). Prohibited asking any questions of applicants for teaching positions pertaining to race, color, political beliefs or marital status. Died in Assembly committee.

AB 1295 (Hawkins). Declared it to be contrary to state policy for any school district to refuse to employ a person because of race, color, religious creed or national origin. Passed the Assembly without opposition. Died in Senate committee.

AB 1303 (Burton). Prohibited a state agency which issues any kind of a license from discriminating in the issuance of such license on the basis of race, creed, color, or national origin or ancestry. Passed Assembly by vote of 49 to 5. Died in Senate committee.

AB 1601 (Burton). Made wilful and continued practice of discrimination grounds for suspension and revocation of real estate license. Also prohibited discrimination by associations of realtors. Died on Assembly floor by a vote of 34 to 36.

AB 1613 (Hawkins). Authorizes Los Angeles County to use funds to establish a commission of citizens for purposes of engaging in research and education to lessen racial and religious prejudices and to foster attitudes among those groups which lead to civic peace and intergroup understanding, and to develop and administer programs and plans

designed to promote full acceptance of all citizens in communities in all aspects of community life without regard to race, religion, or national origin. Originally, prior to Senate amendment, it would have applied to all counties with a population of more than 500,000. Chapter 1867.

AB 1860 (Waldie). As passed by the Assembly by a vote of 44 to 24, declared restrictive covenants of every kind to be void, and provided that every deed shall be appropriately labeled with a statement to this effect. The bill was intended to do something important about the statement of policy against restrictive covenants stated in **AB 612**. As amended in the Senate and passed, the provision for labeling was removed, leaving only the policy provision against restrictive covenants. Chapter 1877.

AB 1970 (Hawkins). Extends 1959 prohibition against discrimination in publicly-assisted housing accommodations to include housing financed under the Cal-Vet program. Chapter 1053.

AB 1976 (Unruh; co-authored by Senator Holmdahl). Makes it unlawful for an employer to refuse to hire or employ, or to discharge, dismiss, reduce, suspend or demote any person between the ages of 40 and 64 solely on grounds of age, except where the law compels or provides for such action, or where the individual fails to meet bona fide requirements for a job or position sought or held, or fails to meet physical requirements prescribed for such position. Provides that the foregoing shall not be construed to affect bona fide retirement or pension programs, to prohibit promotions on the basis of experience and training, rehiring on the basis of seniority and prior service, and hiring under established recruiting programs from high schools, colleges, universities and trade schools. Also provides that the restriction shall not limit the right of the employer, employment agency, or labor union to select or refer better qualified persons to a job. Requires the Department of Employment to cooperate with other departments, agencies and institutions in developing programs and services for older workers, to formulate policies to effectuate the purposes of the act, to carry on continuing education and research programs relating to the problems of older workers, and to issue publications and results of research and other activities. The bill contains no enforcement provisions. Chapter 1623.

AB 2605 (Leggett; co-authored by Senator Geddes). Clarifies that religion, national origin and ancestry, as well as race or color, shall not be considered by insurance carriers in issuing any motor vehicle liability insurance or in setting premiums on policies; provides also that none of the above factors shall be considered in cancelling a policy. Chapter 1983.

AB 2785 (Burton). Prohibited organizations which rent or lease public property or facility from denying the right to use them to any person because of race, color, or creed, etc. Died in Assembly committee.

AB 2789 (O'Connell). Required that every peace officer have a liability insurance policy to cover suits brought for alleged brutality, false arrests, etc. Referred to interim committee study by Assembly.

AB 2870 (Burton). Made it a misdemeanor intentionally to eavesdrop on or record a communication by electronic or other device, without permission of all parties to the conversation, or to install the device for such purpose. Refused passage on the floor of the Assembly and referred to interim committee study.

AB 2936 (Hawkins). Provided that discrimination by state agencies or a member of a state agency would be cause for disciplinary action, and made the attorney general responsible for enforcement. Died in Assembly committee.

AB 2954 (Bruce F. Allen). Provided for enforcement of the 1959 prohibition against discrimination in publicly-assisted housing under the state FEP Commission, and made it a misdemeanor to interfere with the commission in the performance of its duties, or to violate an order of the commission. Introduced late in the session, this bill indicated the degree to which **AB 801**, already moving at the time, had to be compromised to get by the Assembly. Died in committee.

AB 3064 (Burton). Prohibited county clerks from refusing to deputize a person to register voters because of race, color, creed or national origin or ancestry. Passed Assembly by a vote of 57 to 14. Died in Senate committee.

AJR 22 (Bruce F. Allen). Urged California delegation in Congress to support federal aid to education bill, and to make such federal aid conditional on an absence of racial segregation in the public schools in any district receiving such aid. Approved by the Assembly on vote of 64 to 3. Died in Senate committee.

SB 824 (Richards). Eliminates requirement that marriage certificate include race or color of parties married, and prohibits inclusion of such information in marriage certificates. Provides that applicants for marriage licenses shall not be required to state, for any purpose, their race or color. Chapter 554.

SB 1243 (Grunsky). Provides that when a person

dies in custody of a law enforcement agency, or in custody of local or state correctional facility, the attorney general must be advised within ten days of all facts surrounding death. Provides further that such communication must be available for inspection by interested parties, except as to matters deemed privileged by the attorney general. Chapter 2212.

SB 1244 (Grunsky). Provided for mandatory reports and investigation by the attorney general's office when any law enforcement officer, under cover of law, kills an individual. Referred to interim committee study by Senate.

SB 1308 (Grunsky). Provided for investigations by the attorney-general's office after referral to a grand jury on police brutality cases. Referred to interim committee study by Senate.

SJR 41 (Burns). Requests Congress to enact legislation to protect newspaper men from being forced to disclose the sources of their information. Filed with the Secretary of State. Chapter 211.

Bad Bills

AB 288 (Luckel). Removed public employees from coverage of FEP law when applicable state laws preclude employment of persons who are not citizens of the United States or of the state. Died in Assembly committee.

AB 1396 (Bradley). Repealed state FEP law. Died in Assembly committee.

AB 2715 (Bradley). Provided for the licensing of polygraph (lie detector) examiners, pursuant to the provisions of the Private Investigator and Adjustor Act. Permitted the issuance of such licenses for a limited period to specified persons without need of such an examination. Referred to interim committee study by Assembly. (See also *AB 666 under LABOR CODE CHANGES, GENERAL.)

SB 859 (Richards). Allowed the holding of a suspect for 72 hours without filing a complaint on the showing of good cause. Passed Senate but died in Assembly committee.

Other Bills

AB 1714 (Wolfrum). As introduced, was a bad bill, permitting search warrants to be served at any time of day or night. As amended and enacted, provides that on showing of good cause therefor, a magistrate may insert direction in a warrant that it may be served at any time of day or night, and, in the absence of direction, it may be served only in daytime. (Prior law provided that magistrate must insert a direction in search warrant that it

be served in daytime, unless affidavits are positive that property is on a person or in a place to be searched, in which case, he may insert that it be served at any time of day or night.) Chapter 1569.

AB 1979 (Ralph M. Brown). Revises law of obscenity. Adds statutory definition of "obscene". Generally requires as element of offense that person act "knowingly", rather than "wilfully and lewdly". Makes it an offense: to send into, or bring into or cause to be brought into, California, any obscene material for distribution; to possess obscene matter with intent to give it away; and to use a minor in performance of various acts relating to obscenity. Makes various acts relating to "tie-in" sales crimes. Specifies that it is a defense if act is committed for legitimate scientific or educational purpose. Establishes revised schedule of penalties, with permissible penalties increasing in proportion to amount of material involved. Imposes greater penalties for offenses involving minors. Makes second or third offense, variously, a felony. Repeals existing statutory provisions relating particularly to seizure of alleged obscene material. Chapter 2147.

SB 81 (Regan; co-authored by Assemblyman Petris). Requires registration with local law enforcement authorities of persons convicted of, or released from confinement for, certain specified narcotics offenses. Provides also for involuntary commitment of persons convicted of crimes and of persons reported by friends, relatives, etc. to be addicts or in danger of becoming addicts. Requires that the accused receive petition requesting that he be committed one day before the hearing, and allows a friend or relative to protest the commitment. Also establishes institution in the Department of Corrections for narcotics addicts and persons in imminent danger of narcotics addiction. Authorizes transfer of Youth Authority wards to such institutions. Modifies provisions relating to appeal to conform to new commitment procedures. Chapter 850.

COMMERCIAL FISHING

Good Bills

AB 535 (Thomas). Authorized the use of purse and round haul nets in district 20. Referred to interim committee study by Assembly.

AB 536 (Thomas). Authorized use of purse and round haul nets in district 19A for sardines, smelt, anchovies,

green fish and white croakers. Referred to interim committee study by Assembly.

AB 537 (Thomas). Increases from 10 to 15 percent amount of sardines which may be in a load or lot of fish other than during sardine canning season. Chapter 1842.

AB 597 (O'Connell). Authorizes the use of trammel nets in district 10 for other than taking salmon. Chapter 999.

AB 1147 (Thomas). Prohibits packing or processing of sardines in a reduction plant during time when sardines may not be taken for such purposes, except when part of a load of mixed fish, taken for certain purposes. Chapter 163.

AB 1313 (Thomas). Until October 1, 1963, extends season on sardines for use in a reduction plant or by a packer from December 31 to March 1. Chapter 660.

ACA 35 (Pattee). Proposed constitutional amendment to abolish Fish and Game Commission and create a joint legislative commission on fish and game composed of five senators and five assemblymen to assume powers and duties of the abolished commission. Referred to interim committee study by Assembly.

SB 376 (J. Howard Williams). Among other things, authorizes Fish and Game Department to manage, control and protect spawning areas of state-owned lands in designated rivers to extent necessary to protect fish life, with specified excep-

tions; provides for the protection of fish and game when streams are diverted. Chapter 909.

SB 518 (Farr). Deletes requirement that designated portions of troll nets must be constructed of cotton webbing, and authorizes use of other than glass floats for such nets. Chapter 313.

SB 524 (Farr). Extends for two years the privilege tax for support of the marine research committee on sardines, mackerel, herring, squid, and anchovies. Chapter 1262.

Bad Bills

AB 474 (Grant). Prohibited sale or purchase of halibut except halibut imported pursuant to regulations of the Fish and Game Commission. Referred to interim committee study by Assembly.

AB 507 (Porter). Gave Fish and Game Commission regulatory power over taking of Pacific mackerel. Referred to interim committee for study by Assembly.

AB 508 (Porter). Authorized Fish and Game Commission to establish limits on sardines to be taken for commercial purposes. Referred to interim committee study by Assembly.

AB 811 (Thomas). Created a commercial fish commission and a commercial fish division of the Department of Fish and Game to be administered in accordance with the policies established by the commission; increased membership of the marine research committee; created a division of marine research in Department of Fish and Game. Referred to interim committee study by Assembly.

CONSTRUCTION AND CONSTRUCTION WORKERS

The Federation's 1961 legislative program included several bills of specific benefit to construction workers. Of these, one measure was passed by the legislature and signed into law, ***AB 696**, aimed at correcting abuses of the owner-builder exemption under the contractors' licensing law.

Among the Federation-sponsored bills in this area of legislation, several additional measures were passed by the Assembly but died in Senate committee. ***AB 693**, requiring contractors to post cash or securities for payment of wages and fringe benefits, was perhaps the most significant of these bills sought by construction workers. Its defeat in Senate committee was partially offset, however, by the passage of **AB 2134**, increasing the bonding requirement for a contractor's license applicant whose license has been suspended or revoked as a result of disciplinary action.

Other legislation of direct interest to construction workers where some progress was made is reported under the following sections: LABOR

CODE CHANGES, GENERAL; HOUSING AND URBAN REDEVELOPMENT; VOCATIONAL AND REHABILITATION TRAINING.

Good Bills

*Bills marked * were sponsored by the Federation*

***AB 500 (Kennick).** Repealed requirement that public bodies file prevailing rates and notice of changes in rates with the Director of Industrial Relations. Measure was dropped because of mounting pressure in cities and counties to eliminate the posting of prevailing rates. Died in Assembly committee.

***AB 547 (Kennick).** Extended prevailing rates provisions of Labor Code covering public works to include work done directly by any public utility company and the operation of irrigation and drainage systems of irrigation and reclamation districts. Died in Assembly committee.

***AB 549 (Kennick).** Broadened the definition of public agencies for purposes of the prevailing rates provisions of the Labor Code to spell out the inclusion of all public agencies from state through municipal level. Also limited the exemption of public utilities to privately-owned utilities. Died in Assembly committee.

***AB 550 (Kennick).** Spelled out agencies subject to the public works prevailing rates provision of the Labor Code so as to cover all public works. Died in Assembly committee.

***AB 555 (McMillan).** Specified sanitation requirements on construction sites. Died in Assembly committee.

***AB 556 (McMillan).** Specified number of toilet facilities required on construction sites, and specified running water and sinks. Died in Assembly committee.

***AB 560 (Gaffney).** As introduced, made failure to pay wages grounds for disciplinary action against contractors. Amended to automatically suspend the contractor's license upon such failure to pay wages, and required posting a bond for reinstatement. Dropped from calendar following Assembly passage of ***AB 693**. Died in Assembly committee.

***AB 562 (Gaffney).** Prohibited labor contracting in the construction industry. Died in Assembly committee.

***AB 692 (Gaffney).** Required a one-half hour meal period after five hours of work on public works. Died in Assembly committee.

***AB 693 (Gaffney).** Required contractors to post cash securities or a bond for the payment of wages and fringe benefits. Made failure to comply a misdemeanor and cause for automatic revocation of contractor's license until obligations were met. Passed Assembly by vote of 60-13. Died in Senate committee. (See **AB 2134**.)

***AB 694 (Gaffney).** Restricted exemption from contractor's licensing law for installations not fabricated into a structure to installations costing less than \$100. Passed Assembly by vote of 42-34. Died in Senate committee. (See **AB 2133**.)

***AB 695 (Gaffney).** Made it a misdemeanor for failure to provide hot meal on construction work if work was required for more than five hours past the mid-shift meal. Died in Assembly committee.

***AB 696 (Gaffney).** As introduced, confined owner-builder exemption from contractors' licensing law to owners of property who build or improve a single dwelling with no more than two living units and in which the owner resides for at least one year, rather than to owners of property building or improving structures for occupancy of such owners. As amended and enacted, tightens

exemption provision by restricting it to buildings and improvements by property owner for his own occupancy which are not offered for sale, provided that the building does not contain more than three dwelling units in one of which the actual owner resides. Chapter 1420.

***AB 697 (Gaffney).** Broadened specialty contractor's licensing requirement to include contractors whose operations are concerned with the installation and laying of carpets, linoleum and resilient floor covering, rather than contractors whose operations are "principally" concerned with such installation. Passed Assembly by a vote of 44-20. Died in Senate committee.

***AB 698 (Gaffney).** Required contractors to post plans and specifications for a project on the construction site for public inspection. Died in Assembly committee.

***AB 699 (Gaffney).** Required applicants for contractor's license to show financial stability and technical ability; also deleted provision allowing a responsible managing employee to qualify for licensing in place of the owner or owners of a contracting firm. Referred to interim committee for study by the Assembly.

***AB 700 (Gaffney).** As introduced, prohibited work on construction sites after sunset and before sunrise unless two persons were employed on the site at the same time. Amended to exclude guards and watchmen. Referred to interim committee for study by the Assembly.

***AB 701 (Gaffney).** Required general contractor to list all subcontractors; prohibited substitution of subcontractors without consent of awarding body. Also required publishing contractors and subcontractors in local trade journals not later than the issuance of the building permit. Died in Assembly committee.

AB 846 (Hanna). Authorizes governing bodies of cities and counties to require subdividers to file bonds or cash deposits securing payment to persons furnishing materials, labor, services or equipment for improvement. Chapter 600.

AB 858 (Hanna). Permits Contractors' Licensing Board to require persons engaged in business of home improvement to file bond or cash deposit in lieu thereof if board determines that the person lacks adequate financial responsibility. Provides that bond or deposit shall not exceed \$25,000 and shall be conditioned upon observance by such person, or persons acting on his behalf, of laws applicable to the conduct of business. Excludes work on one undertaking or project by one or more contractors where the aggregate price for labor, materials and other items is less than \$100. Chapter 1021.

***AB 1958 (McMillan).** Prohibited the use of alien labor to demolish publicly-owned or formerly publicly-owned buildings. Died in Assembly committee.

AB 2133 (Hanna). Provides that the contractor's licensing law does not apply to the sale or installation of finished products, materials or articles of merchandise which do not become fixed part of structure, rather than to sale or installation of such merchandise which is not actually fabricated into and does not become a permanent part of the structure. Clarifies also that the law does not apply to manufacturer furnishing finished products, materials or articles of merchandise who does not install such items. Chapter 1585.

AB 2134 (Hanna). Revises and strengthens provisions relating to filing of bond by applicant for a contractor's license whose prior license was suspended or revoked; increases the amount of bond required to be filed. Chapter 1125.

AB 2241 (Hanna). Revises provisions for cancellation of contract on public works for violation of law relating to subcontracting; gives awarding body option of (1) cancelling contract, or (2) assessing contractor penalty to extent of ten percent of the subcontract involved, or (3) both cancelling contract and assessing penalty. Chapter 1963.

***AB 2371 (Hicks).** Provided for certification of welders by Department of Industrial Relations. Referred to interim committee for study by the Assembly.

SB 719 (Gibson). Makes it a misdemeanor for person other than examinee named in the application to take the qualifying examination on behalf of an applicant for a contractor's license. Chapter 491.

***SB 1460 (Arnold).** Amends sections 4980 and 4982 of the Public Resources Code to correct the misuse of inmate labor in connection with public conservation work. Chapter 1960.

Bad Bills

AB 192 (Hegland). Allowed work on prison farms and road camps to be done by prisoners and exempted such work from contracting requirements if done primarily by prisoners. Allowed materials for such projects to be purchased without the requirement of taking bids or contracting. Died in Assembly committee.

AB 193 (Hegland). Allows county supervisors to repair or replace structures without adopting plans or giving notice of bids to let contracts when repair or replacement is considered necessary to permit continued conduct of county operations or services, or to avoid danger to life or property, as well as in cases of great emergency. Chapter 1176.

AB 354 (Flournoy). Permitted a city to publish a wage

rate schedule for public works only once a year instead of with each call for bids; required the schedule to be posted at city hall. Died in Assembly committee.

AB 1762 (Busterud). Doubled the amount of work exempted from contractors' licensing law. Died in Assembly committee.

AB 2000 (Frew). Allowed purchasing agents to have same powers as boards of supervisors in regard to force account work. Died in Assembly committee.

AB 2428 (Unruh). Provided for certification of persons not qualified to be architects by the State Board of Architectural Examiners as building designers; restricted work of such designers to certain structures. Died in Assembly committee.

AB 2449 (Winton). Establishes special procedures for contracting by state colleges, thus deleting them from state contracting act. Allows force account work on projects valued under \$20,000, and on other projects permits rejection of all bids and performance of work by force account irrespective of the value of the project. Chapter 1139.

AB 2943 (Bagley). Exempts public utility from requirement of filing a bond upon being awarded a contract for certain public works. Chapter 2128.

SB 754 (Farr). Provided that an awarding body need not specify general prevailing rates in calls for bids and in contracts for public works if the awarding body's rate determination has been filed with the county where the public work is being performed. Died in Senate committee.

Other Bills

AB 588 (Z'berg). Requires bidding and contracts for works or materials exceeding \$1,500, rather \$500, under American River Flood Control District Act. Chapter 241.

AB 982 (Beaver). Increases from \$500 to \$1,000 work requiring competitive bidding on contracts of Department of Public Works for rental of tools or equipment or for relocation of structures for state highway purposes. Chapter 174.

AB 1215 (DeLotto). Deletes provisions in Labor Code limiting employment of persons on public works to eight hours per day except in an emergency, and requiring a report concerning the nature of the emergency when persons are so employed and are not paid one-and-a-half times their basic rate for all hours worked in excess of eight per day. Chapter 238.

AB 1351 (Winton). Permits city or county to di-

rect complaints to registrar of contractors against a licensee for a violation of various codes for which the city or county is responsible for enforcement; requires registrar, to the extent he claims necessary, to give priority to such complaints. Chapter 198.

AB 1541 (Winton). Prohibits public agencies from providing specifications for bids on public works (1) in such a manner as to limit bidding to one bidder, or (2) except where the product is designed or designated to match others in use on a particular public improvement, calling for a designated material, product or service by specified brand or trade name, unless specification is followed by words "or equal," so that bidders may furnish equal material, products or services. Chapter 2171.

AB 1739 (McMillan). Reconstituted State Building Standards Commission, vastly expanding and broadening its powers. Passed both houses of the legislature. Pocket-vetted by the Governor.

AB 1801 (Munnell). Permits public works contractor to require his subcontractor's bond to indemnify contractor for any loss sustained by contractor because of default of the subcontractor in paying for materials or supplies or teams used in public works projects. Chapter 1873.

AB 2821 (Winton). Permits county purchasing agents to contract for materials, supplies and employment of independent contractors used in construction or repair work up to an amount of \$4,000, rather than \$2,000, without following statutory bidding procedures. Chapter 1941.

SB 473 (Gibson). Provides for biennial licensing, rather than annual licensing of contractors by the State Contractors Licensing Board, starting October 1, 1962. Chapter 1636.

SB 718 (Gibson). Establishes procedure for an inactive contractor's license. Declares that inactive status for a period of ten years results in automatic revocation of license; makes it a cause for disciplinary action to act as contractor under license which has been made inactive. Chapter 2099.

SB 828 (McCarthy). Increases from \$1,000 to \$2,500, the amount of expenditure by a school board without going to bid. Chapter 935.

SB 829 (McCarthy). Authorizes school district boards with ADA of 1,000 or more, who are excused from publishing notice calling for bids where estimates from three responsible bidders have been obtained, to be so excused where any of estimates is less than \$4,000, rather than \$2,000. Chapter 1644.

SB 940 (Gibson). Prohibits person who qualifies for contractor's license on behalf of an individual or firm from qualifying for an additional individual or firm unless specified conditions relating to interlocking of the two exist. Chapter 1777.

SB 1080 (Miller). Repeals provision disallowing labor claims for labor performed in any county road district unless the claim is accompanied by a report showing certain information, such as nature of work and hours. Chapter 1161.

SB 1084 (Miller). Provides that in work on county highways with an estimated expense of less than \$3,000, the board of supervisors may purchase material and let contract for doing the work by day labor without calling for bids. Provides that, for work done under supervision of county road commissioner, material must be bought and contract let to lowest bidder if material is to be purchased and contract let for work, and that advertising for bids is not required if material is to be purchased and work done by day labor. Chapter 1791.

ELECTIONS

Apart from reapportionment of Assembly and Congressional districts, which understandably was the major elections issue at the 1961 session, several important bills won passage. These include a series of measures aimed at correcting a number of deficiencies in the Elections Code and spelling out specific protections for the election day rights of working people, especially those of minority group voters. They are contained in the digests of **AB 370**, **SB 121**, **AB 1963**, and **AB 2292**.

The reapportionment bills themselves are contained in **AB 280** and **AB 281**, which represent the redistricting of Assembly and Congressional seats,

including the addition of eight new Congressional districts, under a Democratic-controlled legislature. Although the Senate is not traditionally reappor-

tioned every ten years as in the case of Assembly and Congressional districts, the legislature approved SB 146, creating a so-called "blue ribbon" commission to study Senate apportionment. This study commission in the Senate is an outgrowth of the 1960 Senate reapportionment measure which was defeated at the polls.

Good Bills

AB 221 (Crown). Requires county clerk and secretary of state to compile list of voters by legislative districts and other political subdivisions, showing their party affiliations and other relevant information. Chapter 133.

AB 370 (Crown). Prohibits the challenge of a voter at the polls on the grounds of illiteracy, thus ending a practice which has been used to intimidate minority group voters, especially first-time voters. Chapter 56.

AB 606 (Burton). Allowed registration within thirty days of the election rather than 53 days. Referred to interim committee study by Assembly.

AB 617 (Schrade). Requires that each original and duplicate registration affidavit have attached to it, a stub specifying the name, residence, occupation, and political affiliation of the registered voter along with his signature. Chapter 679.

AB 1963 (Garrigus). Gives deputy registrars the authority to go to the homes of people to register them. Chapter 1051.

AB 2266 (Mills). Established machinery for use in counties where the county clerk refused to deputize enough people as registrars; proposed that a petition of voters would require the deputizing of the person they named. Passed the Assembly by a vote of 54 to 0, but was referred to interim committee by Senate Committee on Elections.

AB 2292 (Burton). Provides that no county clerk may refuse to deputize any person to register voters because of race, creed, color, or national origin or ancestry. Chapter 1898.

SB 121 (Rodda). Specifies intent of legislature that county clerks, in order to encourage voter registrations, enlist the support of interested citizens and organizations and deputize as registrars qualified citizens to cover every section of a county. Specifies that persons deputized shall be permitted to register voters anywhere within the county. Chapter 392.

SB 245 (McBride). Moved primary election from June to August. Died in Senate committee.

SCA 18 and SB 697 (Short). Provided for ballot measure to repeal the requirement of literacy tests for voting. Referred to interim committee for study by Senate.

Bad Bills

AB 18 (Winton). So-called "purity of elections law". As proposed, would have seriously impeded activities of year-round COPE organizations. Died in Assembly committee.

AB 126 (Schrade). Provided for return to cross-filing for partisan offices. Died in Assembly committee.

AB 1206 (Sumner). Prohibited registrars of voters from accepting any kind of remuneration, directly or indirectly, except from the county. Died in Assembly committee.

AB 1841 (Busterud). Required that party affiliations on the registration affidavit be in the voter's own handwriting. Died in Assembly committee.

AB 2188 (Busterud). Allowed voters with no party affiliation to vote the party ballot of their choice in the primary. Died in Assembly committee.

AB 2686 (Busterud). Required that naturalized citizens put their date of naturalization and naturalization number on their affidavit of registration. Also required that affidavits show that the registrar determined that the voter could read English. Died in Assembly committee.

ACA 60 (Schrade). Proposed constitutional amendment to return to cross-filing for partisan offices in primary elections. Refused adoption on Assembly floor by vote of 31 to 39.

SB 143 (McCarthy). Provided for return to cross-filing for partisan office in primary elections. Died in Senate committee.

Other Bills

AB 50 (Unruh). Makes numerous changes in absentee voting procedure. Requires absent voters to return ballots on or before third day prior to election, rather than by six days after election. Provides that applications may be made not more than 29 days, rather than 20 days, and not less than 7 days rather than 5 days, before elections. Provides that if absent voter desires to vote in clerk's office, he shall do so prior to second day, rather than day before election day. Requires war voter who returns to county of his residence before final day of making application for absentee voter ballot to vote on or before the third day before the day of election, rather than on or before the day before election. Also authorizes county clerk to

commence processing of absent voter ballots at any time following the third day before the election, and requires the clerk to commence to count on the day of the election. Prohibits the disclosure of information relating to the count until after close of polling places. Chapter 794.

AB 108 (Conrad). Repeals provision that, after January 1, 1962, would have preserved the registration of any voter who voted at the primary election but did not vote at the general election. Chapter 410.

AB 280 (Crown). Provides for the reapportionment of the 80 Assembly districts in accordance with the 1960 population census. Chapter 1233.

AB 281 (Crown). Provides for reapportionment of Congressional districts in accordance with the 1960 population census, including the allocation of eight additional Congressional districts. Chapter 1234.

AB 356 (Knox). Requires city clerk, or canvassing board appointed by city clerk, rather than the governing body of a city, to count votes cast by absent voters. Requires that such count commence as soon as polls close on election day, and that it con-

tinue for not less than six hours each day until the absent voter ballots have been received and counted. Chapter 65.

AB 1496 (Charles H. Wilson). Provides that a candidate must be affiliated with the party in which he seeks nomination for three months prior to the filing for office, and that he must not have been registered with any other party for twelve months prior to the filing. Chapter 298.

SB 146 (Burns; co-authored by Assemblyman Cameron). Creates "blue ribbon" study commission on Senate apportionment consisting of two Senators, two Assemblymen and five appointees of the Governor. Prescribes that the commission shall ascertain, study and analyze all facts relating to representation in the Senate and report thereon to the Governor and legislature not later than February 10, 1962. Carries \$25,000 appropriation. Chapter 607.

SB 626 (Regan). Provides for punch card voting system by adoption of election boards for precincts within their jurisdiction for any elections. Requires that punch card voting system be approved by the State Commission on Voting Machines and Vote Tabulation Devices. Chapter 547.

EMPLOYMENT AGENCIES, PRIVATE

As in previous sessions, the 1961 legislature again this year failed to come to grips with widespread abuses in fees charged by private employment agencies. It is known that persons who are unable to find employment often resort to private agencies in desperation. The agency, in turn, is in a position to extract every dollar it can, because the fee schedule which the agency must post by law in its offices is not in any way regulated by the Labor Commissioner. Once the contract is signed for an applicant, there is no possibility of contesting the fee charged, no matter how exorbitant, so long as it conforms to the posted schedule.

Evidence of such abuses compiled by the Federation in a survey of placements in one labor market area showed placement fees extracted from office workers ranging from a low of 20 percent to a high of 58 percent of the first month's salary on jobs lasting a minimum of 90 days. The placement fees surveyed averaged almost \$99, or a third of the average first month's salary. Further, chaotic patterns of fees charged appeared to have little relation to the services rendered or to the quality of the job placement.

Accordingly, the California Labor Federation sponsored *AB 552, providing for a fee limit of 10

percent, based on the first month's salary. Unfortunately, in Assembly committee, this bill became the object of unwarranted amendments exempting labor contractors and other occupational-type agencies from not only the fee limitation but also from a current provision in the law which prohibits any kind of direct or indirect fee merely for registration with an agency. With these amendments, followed by an announcement that the 10 percent fee limit would be increased to 40 percent, the Federation was forced to drop the proposed legislation.

Following the loss of *AB 552, the Federation secured the introduction of another bill, *AB 2667, prohibiting altogether any fee charged against the worker, but permitting an employment agency to

charge the employer in accordance with the agency's fee schedule and agreement with the employer. This second approach, advanced on the premise that the employer alone should pay for the personnel service rendered by the agency, was also killed in committee.

On the other hand, the enactment of seriously adverse legislation in the private employment agency field was averted by Federation vigilance. One measure, however, was enacted which could lead to a bad precedent, although a Federation amendment removed a major area of potential abuse. This was **SB 1523**, which exempts from employment agency regulation such agencies as Manpower Inc., Western Girl and others which hire individuals directly for part-time placement under the supervision of a third party, or other employer. As indicated below, Federation opposition led to an amendment prohibiting such placements where a strike or labor dispute is in progress.

Good Bills

Bills marked * were sponsored by the Federation

***AB 552 (McMillan)**. As originally introduced, limited employment agency fee to 10 percent of first month's salary. Before hearing on the bill, the author inserted a number of amendments exempting nurse registries, babysitter agencies, and labor contracting agencies, not only from the fee limitation, but from other regulations in the law. The Federation was finally forced to drop the bill, when it was announced by the author that he was planning to raise the fee limit from 10 to 40 percent. Died in Assembly committee.

AB 1020 (Elliott). Extended definition of a labor contractor under the employment agencies law to include a person employing individuals to render personal service to, for, or under the direction of a third person in cases where the individual employed receives a remuneration of more than \$200. Died in Assembly committee.

AB 1021 (Elliott). Prohibits employment agencies from placing minors when their employment would be illegal under the Education Code or Labor Code provisions on child labor. Chapter 739.

***AB 2667 (O'Connell)**. Introduced after the Federation found it necessary to drop ***AB 552**, prohibited employment agencies from accepting fees from applicants for employment, but allowing private agencies to collect fees from the employers. Died in Assembly committee.

Bad Bills

AB 509 (Hegland). Provided for the establishment of an employment agency advisory board in the Division of Labor Law Enforcement as a step in the direction toward

shifting regulation of private employment agencies to a licensing board under the Bureau of Professional and Vocational Standards. Referred to interim committee for study.

AB 1016 (Cusanovich). Impeded Labor Commissioner in actions on behalf of individuals against employment agencies by providing for a court trial either before or after the Labor Commissioner's determination in controversies involving employment agencies and their job applicants. Died in Assembly committee.

SB 1523 (Miller). As introduced, exempted from regulation and licensing, such private employment agencies as Manpower Inc., Western Girl and others which employ individuals to render temporary service to or under the direction of a third person in business or industry where the agency, in addition to wages or salaries, pays federal social security taxes, state and federal unemployment insurance, carries workmen's compensation insurance, and sustains responsibility for the acts of its employees while rendering services, to, for or under the direction of a third person. Over the opposition of the Federation, the measure was sent to the floor by the Senate Committee on Labor and passed by the upper house. In Assembly committee, although efforts to block the bill failed, Federation opposition succeeded in securing an amendment prohibiting such exempted agencies from sending employees to any place where a strike, lockout or labor dispute exists. Chapter 1666.

Other Bills

SB 145 (Thompson). As introduced, was a bad bill, removing nurses' registries from regulation as employment agencies and putting them under separate regulation, but without adequate protections, within the Division of Labor Law Enforcement. Numerous amendments were inserted before passage to ensure proper regulatory authority for the Labor Commissioner in providing for such regulation by the Division of Labor Law Enforcement. Chapter 242.

FIRE FIGHTERS

(See also PUBLIC EMPLOYEES and WORKMEN'S COMPENSATION.)

Good Bills

AB 469 (George E. Brown). Imposed an affirmative duty on the employing agency to bargain with the fire

fighters' organization. Passed the Assembly but died in Senate Labor Committee.

AB 613 (Williamson). Includes fire fighter member within the provisions of County Employees Retirement law of 1937, affording presumption that heart trouble developed by an individual after five years of service under the public retirement system occurred in and arose out of his employment; and defines such member as one engaged in active fire suppression who has not been classified as safety member. Chapter 1384.

AB 943 (Leggett). Repeals earnings test for safety member under state retirement system on industrial disability. Chapter 2169.

AB 1076 (Leggett). For purposes of coordination of state and county retirement systems with federal social security, provides that policemen and firemen shall constitute a separate system and shall vote separately. Chapter 1033.

AB 1588 (Knox). Established procedure for the inclusion of a local fire district in a county fire protection district. Died in Assembly committee.

AB 1625 (Cameron). Requires that contracts between a county or a county fire protection district and a city which provides for furnishing fire protection services to the city, except contracts to render emergency assistance, shall be for a term of at least one year; provides that only voters of district or county, or voters of city may abrogate such a contract. Establishes procedures for calling an election on a proposition for termination of a contractual relationship, and specifies the date termination occurs if a majority votes in favor of termination. Chapter 1306.

AB 2214 (DeLotto). Requires state fire marshal, on advice of state fire advisory board, to adopt and enforce regulations and standards to control marketing, sale, distribution, use, capacity, servicing, charging and effectiveness of fire extinguishers in

portable appliances and devices for controlling and extinguishing fires. Also authorizes and prescribes procedures for licensing by the state fire marshal of firms that market, sell, distribute, service or recharge fire extinguishers or appliances or devices for controlling and extinguishing fires. Establishes misdemeanor penalty for violation of such regulations. Chapter 1207.

Bad Bills

AB 503 (Kilpatrick). Provided for use of county prisoners in fire fighting without adequate protection for the prisoner or supervision. Passed Assembly but died in Senate committee.

AB 1114 (Lantermann). Among other things, repealed presumption with respect to certain safety members that heart trouble arose out of employment for purposes of county employees' retirement systems. Died in Senate committee.

AB 2529 (Wolfrum). As introduced, gave the governing board of a fire department authority to determine when a dispute existed between two fire fighter organizations and to require the holding of a representation election by the governing body to determine which organization should represent fire fighters. Specified that no governing body had to deal with more than one employee organization representing fire fighters. Referred to interim committee for study by the Assembly.

AB 2971 (McMillan). Allowed persons other than full-time members of fire departments to enforce regulations of the state fire marshal dealing with fire prevention and protection of life and property against fire. Died on Assembly floor.

Other Bills

AB 1355 (Bradley). Provides for formation of fire protection districts under a new fire protection district law of 1961, specifying procedures therefor, and setting forth general powers and methods of organization, operation, government, consolidation, reorganization, and dissolution of such districts. Chapter 565.

HOUSING AND URBAN REDEVELOPMENT

In the field of housing, compared with states like New York and Pennsylvania, California is known to be almost totally lacking in housing programs, supplemental to federal legislation, to provide badly needed housing for moderate and low income groups, and generally come to grips with the mounting and staggering problems of urban decay, redevelopment and renewal. Recognizing this deficiency, Governor Brown proposed and secured the passage of **AB 814**, which establishes a full-fledged Governor's study commission on housing to develop a program for action for the 1963 session. The success of this study and the quality of the programs eventually recommended are of utmost importance to the

hundreds of thousands of families and individuals in California, and will depend largely on the appointment of a balanced committee whose primary

orientation is family and individual housing needs of California's mushrooming population.

Beyond the Governor's study bill, the legislature took a major step forward by launching a new state program to provide low rent housing for the elderly without waiting for the recommendations of a commission study. This program is contained in SB 414 and SCA 10, and requires the approval of the voters at the next general election. The Federation's major housing bill, *AB 1142, creating a State Mortgage Authority to finance homes in the low and middle income ranges, failed to get off the ground. Although broadly drafted to give the authority all the powers necessary to cooperate with governmental agencies both at the federal and local level, the measure provided for the issuance of revenue bonds, secured by the authority's own assets, as the major source of funds to carry out the purpose of the bill. It soon became apparent that, in the absence of any initial assets, the authority would be unable to sell its revenue bonds without the backing of the state's credit. Unfortunately, the state's credit for this broad, socially-oriented purpose was not available beyond the amount allowed for the aged housing program, and the bill had to be dropped.

Outside the field of action on new programs, a substantial number of improvements were made in existing housing legislation. Numerous liberalization amendments were made in state laws controlling the operation of public housing authorities and redevelopment agencies to remove roadblocks in their operation and to give them the specific authority and flexibility necessary to take greater advantage of federal programs. With considerable success, liberal legislators were able to pinpoint the responsibility of redevelopment agencies to provide replacement housing within the financial means of low and moderate income families who live in project areas. All of these efforts, however, were necessarily limited by the program tools available for the construction of such housing for families of limited means. The large amount of time devoted to the broad issue of replacement housing, especially as it affects families of minority groups, served to bring new focus on the utmost importance of developing programs to meet low and moderate income housing needs.

(See also AGRICULTURE AND AGRICULTURAL LABOR and CIVIL RIGHTS AND CIVIL LIBERTIES.)

Good Bills

Bills marked * were sponsored by the Federation

*AB 721 (Cameron). Required local and redevelopment plans dealing with residential areas to contain a survey and reports on the housing needs of the elderly, and specified standards and procedures for the provision of such housing. Passed Assembly without opposition. Killed in Senate committee.

AB 814 (George E. Brown; co-authored by Senator Geddes). Introduced at request of the Governor, creates a Governor's Advisory Commission on Housing Problems, consisting of not to exceed eleven members appointed by the Governor, to study housing needs in California and to report to the Governor and legislature at the 1962 and 1963 regular sessions. Provides for appointment of two Assemblymen and two Senators to participate in the work of the commission as joint interim legislative committees. Carries \$75,000 appropriation for fiscal year 1961-62, with provision for selection of chairman by the Governor and employment of a staff with an executive director. Terminates the commission as of June 30, 1963. Chapter 1242.

AB 815 (George E. Brown; co-authored by Senator Geddes). Considered a companion to AB 814, above, abolishes the present Commission of Housing in the State Division of Housing. Chapter 1241.

*AB 1142 (Cameron). Provided for the establishment of a California Mortgage Authority for the purpose of financing low and moderate income housing. Authorized the authority to sell revenue bonds secured by its own assets only, and otherwise gave the authority full power to carry out its purpose, including the acceptance of contributions and appropriations from any governmental agency or unit and quasi-public corporation. Died in Assembly committee because of the non-saleability of the authority's bonds without initial assets and the non-availability of the state's credit to back the bonds and thus make them saleable.

AB 1372 (Elliott). As introduced, amended and passed by the Assembly by vote of 53 to 12, represented a major effort, within the limits of present inadequate housing programs for low and middle income families, to make the provisions of suitable housing for such families displaced by redevelopment projects a condition for proceeding with such projects. Senate committee amendments, however, removed most of the sections dealing with the provision of replacement housing. As amended by the Senate and passed by the legislature, strengthens public policy of the state regarding problems of rehabilitation of slum and blighted areas, specifying that designated factors such as the limited

means of families living in blighted areas, racial discrimination, and housing code enforcement shall be taken into consideration in any rehabilitation or redevelopment programs, and that such programs shall not be undertaken or operated in such manner as to exchange old slums for new slums. Specifically authorizes redevelopment agencies, in order to facilitate rehousing of displaced families, to utilize aid made available through federal urban renewal, redevelopment and housing legislation, and to use funds derived from any public or private source to carry out this purpose. Permits redevelopment agencies to rehabilitate buildings for residential, commercial, industrial or other use contemplated by a redevelopment plan, subject to the requirement that rehabilitated property be offered for resale within one year after completion of the rehabilitation. Requires redevelopment agencies, on and after February 15, 1963, to report annually to the legislature on specified activities pertaining to rehabilitation. Deletes also provision in state redevelopment agency law, prohibiting the transfer of property to a public housing authority or public agency for low-rent housing projects. Chapter 2116.

AB 1754 (Rumford). Created an office of state housing coordinator to advise and assist the Governor in matters relating to persons displaced due to governmental projects. Killed in Assembly Ways and Means Committee after receiving policy committee approval.

AB 1757 (Monagan; co-authored by Senator Short). Removes prohibition against a redevelopment agency conveying any of its acquired land to a public housing authority for low rent housing projects. Chapter 687.

AB 1874 (Petrís). Requires that preference in admissions to low-rent public housing projects be given to families displaced by redevelopment or other government actions, and otherwise establishes a priority system for applicants. Chapter 1388.

AB 1875 (Petrís). Abolishes rigid income limits for admission to low-rent public housing projects, and provides instead that housing authorities shall fix income limits for occupancy and rent after taking into consideration (1) family size, composition, age, physical handicaps, and other factors which might affect rent-paying ability of the person, and (2) economic factors which affect financial stability and solvency in the project. Chapter 1043.

AB 1876 (Petrís). Allows housing authorities to

assist in relocating persons of low income deprived of dwellings which are to be cleared or demolished, and requires such authorities to make studies and surveys of unoccupied dwellings so as to be able to maintain a tenant placement service. Also authorizes authorities, in connection with any project, to aid families in the cost of moving, such costs to be included in the project costs. Chapter 1044.

AB 2007 (Petrís). Strengthens somewhat the charge given to cities and counties to refuse approval of redevelopment plans unless they adequately provide for rehousing of displaced families. Specifically permits any public body to acquire land in a redevelopment area; permits community redevelopment agencies, with the approval of legislative bodies, to acquire real property in a project area any time after formulation of preliminary plan for the redevelopment area by the planning commission, and prior to adoption of the redevelopment plan by the legislative body; authorizes agencies to develop building sites for parks, playgrounds, and other necessary improvements in addition to private purposes. Chapter 2149.

AB 2051 (Busterud). Authorized a redevelopment agency to acquire for three years property outside its project area to assist in relocation housing. Passed Assembly without opposition, but was killed in Senate committee by referral to interim committee study.

AB 2394 (Burton). Similar to but broader than, **AB 1757** above; allows redevelopment agencies to sell, lease, or donate real property in a redevelopment area to housing authorities or to any public agency for public housing projects. Chapter 2036.

AB 2740 (Elliott). Attempted to provide that the payment to home owners who are displaced by redevelopment projects or other governmental action be based on the cost of acquiring a new home. This was originally a part of **AB 1372** before its deletion on passage. Referred to interim committee study by Assembly.

AB 2881 (Meyers). Requires that community redevelopment plans submitted to legislative bodies be accompanied by reports concerning reasons for selection of project areas, conditions in such areas, financial analysis of the proposed redevelopment, and reports of the planning commission. Requires also that legislative body consider such reports before adoption of a redevelopment plan, and that the legislative body determine that the project area is blighted and that its redevelopment is necessary to effectuate a public purpose. Chapter 1945.

ACA 58 (Burton). Proposed a constitutional amendment

to repeal the present law which requires a referendum before low rent public housing projects may be undertaken. Died in Assembly committee.

ACA 70 (DeLotto). Proposes constitutional amendment to make veterans property tax exemption available to cooperative housing groups for single family dwellings occupied by persons otherwise qualified for the exemption who have an interest in the co-op, or trust represented by membership, or share certificate in the co-op. Chapter 242.

ACA 87 (Meyers). Proposed a constitutional amendment to set up an agency for the purpose of establishing building standards and using the state's credit to guarantee home and farm mortgages. Referred to interim committee study by Assembly.

***ACR 75 (Bruce F. Allen).** Requested the attorney general to investigate possible fraud and other illegal acts as to quality standards in the home building industry. Died in Assembly committee.

AJR 10 (Munnell; co-authored by Senator Collier). Memorialized Congress to liberalize loans for moderate income home buyers by making long term, low interest money available. Filed with Secretary of State. Chapter 57.

This was approved by the legislature prior to the passage by Congress of the Kennedy Administration's housing program.

Assembly House Resolution 168 (Rumford). Directs the various redevelopment agencies to give full consideration to the problem of rehousing families displaced by redevelopment. Adopted by Assembly.

SB 320 (Geddes). Prohibits cities and counties and other state political subdivisions from requiring more than one building permit for low rent housing development for the elderly financed in whole or part by federal or state government. Sets permit fee limit. Chapter 2068.

SB 414 (Burns) Implements SCA 10, below, if approved by the voters. Provides for loans of state funds to certain public and private corporations for construction, acquisition and development of low-rent housing for elderly persons of low income; authorizes issuance of \$100 million in state bonds as proposed in SCA 10 to finance the program. Chapter 1765.

SCA 10 (Burns). Proposes constitutional amendment to provide for the issuance of \$100 million in state general obligation bonds to provide low rent

housing for elderly and handicapped persons of low income. Validates issuance and sale of bonds and appropriations provided for in the State Housing for the Elderly law, SB 414. Chapter 251.

Bad Bills

AB 2550 (Grant). Amended State Housing Act to permit unvented gas appliances in existing buildings. Passed Assembly by vote of 50 to 7. Referred to interim committee study by Senate.

Other Bills

AB 787 (Mulford). Rewrites State Housing Act, providing for administrative rules and regulations by the Division of Housing covering construction, maintenance, use and occupancy of apartment houses, hotels and dwellings. Creates State Housing Appeals Board consisting of ten qualified members appointed from the enforcement agencies and building industry, and prescribes their duties. Among other things, provides statutory requirements for application and scope, and extends to unincorporated areas the provisions relating to dwellings; provides for the adoption of equivalent ordinances and use of alternate materials, appliances, etc. Establishes statutory requirements for enforcement by local building, housing, fire and health departments in their respective fields, with state enforcement where no local enforcement agency exists, while permitting cities and counties to contract with the state for services. Chapter 1844.

AB 1217 (Hanna). Permits savings and loan associations to make amortized loans for single family dwellings up to \$22,000, or a percentage of the value of the real property, or a percentage of the purchase price, whichever is lowest. Chapter 596.

AB 1266 (Cunningham). Revises and expands Health and Safety Code provisions regulating construction and operation of auto courts, resorts and motels, including provisions regarding materials, permit fees, toilets, windows, stairways, exits, garages, gas appliances, cooking appliances and electrical wiring. Deletes provision exempting property maintained by federal or state government or any agency or political subdivision of the state from the coverage of such provisions. Chapter 1237.

AB 1657 (Pattee). Deletes provision allowing

non-departmental banks to lend up to 75 percent of their savings or other time deposits on security of real property in addition to veterans' loans. Removes limit on loans insured by FHA Section 203 housing. Chapter 1105.

AB 2126 (Mills). Rewrites State Trailer Park Act. Chapter 2176.

SB 318 (Geddes). Forbids the prohibition by local

agencies of the use of approved combination sink, stove, and refrigerator units in state or federally financed housing for the elderly. Chapter 668.

SB 956 (Grunsky). Declared state policy to encourage nonprofit housing developments for elderly persons at the local level, while allowing cities and counties to provide for less restrictive requirements for nonprofit housing developments than required for housing generally. Pocket-vetoed by the Governor.

INDUSTRIAL SAFETY

The most significant achievements of the 1961 session in industrial safety legislation relate to the protection of workers and the public generally from the hazards of the increasing use of radioactive and fissionable materials. Important, although modest, first steps were taken in this direction with the passage of a number of bills listed below, including measures to establish a program for the licensing, regulation and regular inspection of the sources of ionizing radiation under state contract with the federal government, to strengthen controls over the transportation of radioactive materials, and to improve procedures for coordinating rules and regulations of various state departments and agencies regarding atomic energy development and radiation protection.

With the new legislation, California is now in a position to commence a truly coordinated approach to protect both workers and the public from a safety hazard that is an immediate danger not only to our present population, but also to unborn generations.

Among other industrial safety legislation listed below were six Assembly bills sponsored by the Federation. Each of the measures failed to get out of committee.

Good Bills

AB 266 (Z'berg). Provides for the labeling of various types of hazardous substances. Requires that containers of hazardous substances show the name and address of the packer, the chemicals contained in the package, and the word "danger" or "caution" depending upon the type of substance. Chapter 302.

***AB 563 (Gaffney).** Created a presumption that an employer who causes employees to work alone on dangerous machinery is maintaining an unsafe place of employment. Died in Assembly committee.

***AB 564 (Gaffney).** Amended Labor Code section that permits an employee to refuse to work where there is a hazard due to a violation of a safety order, to allow such worker to refuse to work where there is a hazard whether

covered by a safety order or not. Also extended the time for filing a claim with the Labor Commissioner under the section from 10 days to 30 days. Passed Assembly without opposition; referred to interim study by Senate Labor Committee.

***AB 565 (Gaffney).** Required the Chief of the Division of Industrial Safety to appoint a medical director and assistants to aid the division in the exercise of the powers within its jurisdiction. Died in Assembly committee.

AB 809 (Knox). Required that "safety device" be defined to include devices for protection from the injurious effects of noise. Passed Assembly, but died in Senate committee.

***AB 997 (Gaffney).** Repealed prohibition against the divulging by employees of Division of Industrial Safety of confidential information dealing with safety in employment and violations of rules, regulations, and orders. Died in Assembly committee.

***AB 1222 (O'Connell).** Provided for the appointment an attorney and assistants for the Industrial Safety Board. Died in Assembly Ways and Means Committee, following policy committee approval.

AB 1547 (Rumford). Broadened the authority of the Coordinator of Atomic Energy Development and Radiation Protection to appoint a technical staff, as well as clerical and secretarial help. Passed Assembly by a vote of 69 to 3. Killed in Senate committee.

AB 1548 (Rumford). Sets forth procedure for coordinating existing or proposed rules or regulations of state departments and agencies regarding atomic energy development and radiation protection. Chapter 741.

AB 1549 (Rumford). Revises and expands provisions regulating disposal of radioactive waste to also cover storage, transportation and loading of

radioactive waste, and radioactive contamination of environment by nuclear installations and field tracer studies. Declares that it is the policy of the state that the Public Health Department initiate and administer necessary programs for surveillance and control of activities which would lead to introduction of radioactive materials into environment. Chapter 820.

AB 1634 (Lunardi). Transfers rule-making jurisdiction pertaining to the transportation of radioactive materials from the state fire marshal to the state Department of Public Health. Requires enforcement of regulations by traffic officers and by authorized representatives of the Public Health Department, the Division of Industrial Safety, and of any city or county health department. Chapter 1705.

***AB 1959 (Gaffney).** Repealed provision that an employer or an insurer who files a death or injury report with the Division of Labor Statistics and Research need file no other report required by laws of the state. Died in Assembly committee.

AB 1975 (Lunardi). Enacts state Radiation Control law which provides for regulation, licensing, registration and inspection of radiation sources by state Department of Public Health. Requires department to enact rules and regulations to carry out the purposes of the law, including adoption of schedule fees to be paid by persons possessing machines which produce radiation to be used for the purpose of inspection of radiation machines. Authorizes inspection of public or private property to determine compliance with department rules and regulations, and provides for maintenance of prescribed records by radiation users. Authorizes Governor to enter into agreements with the federal government providing for discontinuance of cer-

tain federal responsibilities with respect to radiation and assumption thereof by the state. Makes it unlawful for any person to use, manufacture, produce, transport, transfer, receive, acquire, own, or possess any source of radiation unless licensed by or registered with the Department of Public Health. Chapter 1711.

SB 881 (Farr). Requires California Highway Patrol, in consultation with the Department of Public Health, to adopt and enforce reasonable regulations as necessary for public health and safety regarding ambulances used for emergency services. Provides that such regulations shall not preclude more restrictive regulations by local authorities. Also declares intent of legislature to be that regulations adopted shall be the minimum necessary for public health and safety and shall not be so restrictive as to preclude compliance in sparsely populated areas. Chapter 1774.

Bad Bills

SB 898 (Brown). Repealed Health and Safety Code provisions governing the sale, storage, transportation, use or possession of high explosives. Approved by the Senate in modified form, but died in Assembly.

Other Bills

AB 807 (Knox). Deletes requirements that the Division of Industrial Safety annually inspect boilers, internally and externally, and requires instead that installed fired boilers be inspected internally at least every year, and that other classes of boilers be inspected internally at intervals established by the Division of Industrial Safety. Further requires an external inspection of all boilers at times of internal inspection and at such other intervals as are deemed necessary by the division. Chapter 806.

INSURANCE

(Includes Health and Welfare)

Four Federation-sponsored bills in this category of legislation, all highly controversial, failed to get out of committee. At no time did the legislature give any serious consideration to broad proposals such as those contained in ***AB 489**, establishing a state health care program for the aged on the social insurance principle, and ***AB 605**, providing for a general and comprehensive prepaid health care program for California workers.

While the legislature was in no mood to launch these new social insurance programs, it did attempt to come to grips with some of the abuses in the voluntary prepaid health plan field.

A series of Cameron bills, developed out of interim committee studies, was introduced and drew considerable attention. Among these were **AB 571**, establishing specific standards to classify prepaid

health plans by the amount of benefits they return on the premium dollar, and **AB 570**, prohibiting the sale of any policy that returns less than 50 cents on the dollar. In greatly watered-down form, **AB 571** was passed by the legislature. **AB 570** went to interim committee study. (Other Cameron-sponsored bills dealing with hospital accounting procedures and hospital records are covered under **PUBLIC HEALTH**, along with the proposal of the Governor's Medical Care Commission to provide for regional hospital planning.)

The Federation's proposals to make major revisions in rate-setting procedures for automobile liability insurance, including the outlawing of so-called "safe driver" plans, met with the vigorous opposition of insurance carriers, as was expected. Because of this opposition, they were quickly sent by committee to interim study without even the opportunity of a full hearing. The same fate was handed ***AB 2083**, aimed at regulating the rates of nonprofit health insurance corporations.

Good Bills

Bills marked * were sponsored by the Federation

***AB 489 (Bee)**. Established a state health care program to provide hospitalization, nursing and surgical insurance for persons entitled to receive social security benefits; program to be administered under the State Department of Employment and financed by employers through a one percent contribution on employee payrolls up to \$6,000 annually. Died in Assembly committee.

AB 570 (Cameron). Authorized the Insurance Commissioner to regulate the rates of health insurance and nonprofit hospital plans by setting rates and requiring minimum benefits. Prohibited the sale of any policy in the state which returned less than 50 cents on the premium dollar. This bill was one of a series of measures developed out of an interim committee study on health plans which found that some private plans in the state were returning as little as four cents on the premium dollar. Referred to interim committee study by Assembly.

AB 571 (Cameron; co-authored by Senator O'Sullivan). As introduced, directed the Insurance Commissioner to establish a system of classifying all prepaid health plans by the amount of benefits returned on the premium dollar, utilizing basic standards established in the proposed legislation. Specified that the assigned classification must appear on the first page of the policy or contract, and that it must contain an explanation of the various classifications together with a summary of benefits and exclusions in the policy or contract; required all promotional material to indicate the classifica-

tion given the policy, and, in some circumstances, the difference between the various classifications. Also prohibited operation in the state of plans which fail to meet standards of the lowest grade, while requiring a pro rata refund of premium in any given year in which the actual loss ratio falls below the classification under which the policy or contract was sold, and requiring the premium to be lowered in subsequent years. The major features of the bill were removed and its provisions were generalized in Assembly committee before release for floor consideration. As so amended and passed by the legislature, the Insurance Commissioner is instructed to promulgate such rules and regulations as he determines may be necessary to establish standards by which approval is given to policies in meeting a requirement in the bill that every hospital, medical or surgical insurance policy contain a schedule of coverage or brief description of its coverage on its face in prominent type, or that such information is provided in a separate document attached to the face of the policy, as may be approved by the Insurance Commissioner. Also requires the Commissioner to deny the approval of any policy whose benefits are "unreasonable" in relation to the premium charged, based on rules and regulations he is authorized to establish. The bill is made applicable only to policies delivered after June 30, 1962. Chapter 998.

***AB 605 (Burton)**. Provided for establishment of a comprehensive state health care program for workers under the Unemployment Insurance Code, financed by a three percent employer contribution on taxable wages. Died in Assembly committee.

AB 638 (Rees). Adds provision to unfair trade practices in insurance which prohibits the making of unfair discriminations in rates between individuals. Exempts group, franchise and wholesale insurance. Chapter 1385.

***AB 2058 (Meyers)**. Prohibited the use of moving violations in determination of automobile insurance rates. Also provided for establishment of a commission in the Department of Insurance to regulate auto insurance rates. Following Assembly committee refusal to give the bill a full hearing, the measure was sent to interim committee for study by the Assembly.

***AB 2060 (Meyers)**. Prohibited age or occupation from being considered factors in fixing automobile insurance rates. Referred to interim committee study by Assembly.

***AB 2083 (Knox)**. Regulated rates of nonprofit health insurance corporations by requiring that their rates and other operating information be filed and approved by the

Insurance Commissioner. Referred to interim committee study by the Assembly.

AB 2380 (Cameron). Requires that prepaid health plans issued or delivered in the state on or after July 1, 1962, shall have printed on them or attached to them a notice stating that the person to whom the policy or contract is issued may return it for any reason within ten days of its delivery and have the premium refunded. Provides that such a return of a policy or contract renders it void. Chapter 2058.

AB 2607 (Leggett; co-authored by Senator Geddes). Provides that, in making assignments, California automobile assigned risk plan shall contain manner of payment of premium charges, in addition to the basis upon which premium charges shall be made. Chapter 1984.

AB 2770 (Knox). Provides that whenever a surety insurer gives notice of cancellation of coverage of an employee under a blanket fidelity bond, the insurer must furnish the employee, upon request, a statement setting forth the grounds upon which the notice of cancellation is based. Also provides that if insurer fails to comply, the employee may apply to the Insurance Commissioner for a certificate of facts or information desired. Chapter 1931.

AB 2961 (Waldie). Established a state program of insured loans to nonprofit corporations for hospital construction purposes. Passed Assembly by a vote of 44 to 29. Died in Senate committee.

SB 415 (Byrne). Provides that the word "group" may be used in connection with life, disability and workmen's compensation insurance only if there is specific statutory permission for such use. Chapter 398.

SB 1530 (Miller). Requires every group life or disability policy, where the premium is paid either in whole or in part by the employer pursuant to a collective bargaining agreement, to provide for continuation of coverage during periods of work stoppage caused by labor disputes if the employees continue to pay their portion of premiums and employer's portion of premiums under specified conditions. Provides also that this provision does not affect the state unemployment disability insurance program. Chapter 2097.

Bad Bills

AB 568 (Cameron). Provided that when a person has more than one prepaid health plan, the insurer is required to contribute only a pro rata share to the payment of benefits. Referred to interim committee study by Assembly.

Other Bills

AB 569 (Cameron). Required that group disability policies contain a provision allowing a covered individual, if he terminates his employment after being covered for 24 months, to convert to individual coverage, with no increase in premium costs except to offset additional administrative costs. Referred to interim committee study by Assembly.

AB 1539 (Hanna). Provides for mortgage guaranty insurance, allowing such insurance to be taken out by the lender on a mortgage, deed of trust or other residential security paper, which will pay up to 20 percent of the amount of the loan in case of loss. Chapter 719.

AB 1609 (Crown). Defines, for purposes of disability insurance policies, the terms "non-cancelable policy" or "non-cancelable and guaranteed renewable policy" and "guaranteed renewable policy," and specifies under what circumstances a policy may be designated a non-cancelable and guaranteed renewable policy or a guaranteed renewable policy. Chapter 2047.

AB 1627 (Holmes). Required that disability insurance policies sold in the state permit the selection of chiropractors to perform services covered under the terms of the policy within the scope of the chiropractors' practice. Died in Assembly committee.

AB 2272 (Crown). Allowed for investment of pension funds in common stocks and other more speculative securities by setting up a special account with any large insurance company for such purpose. Died in Assembly committee.

AB 2798 (Beaver). Recasts language describing disability insurance policies providing for payment of medical, surgical or hospital expenses on a reimbursement basis, to permit the insured to select services of any licensed physician and surgeon or chiropodist whose license authorizes him to perform services covered by the policy. Specifies that policies issued or renewed on and after September 18, 1959 shall be construed to be in compliance with this requirement and that any provision of the policy in conflict with the requirement shall be of no effect. Chapter 2000.

LABOR CODE CHANGES, GENERAL

With few exceptions, the story of Labor Code changes at the 1961 session of the legislature was "killed in Senate Labor Committee" for the several liberalization measures that managed to get past the Assembly. From the beginning of the session, it was known that the Senate Labor Committee was set up as the "death trap" for Labor Code amendments that did not meet with the approval of the committee's dominant, conservative majority. Under these circumstances, it was not surprising that the committee presided over the burial of virtually every Labor Code bill sponsored by the Federation that survived the Assembly.

Running true to form, and in the pattern of the 1959 session, the Senate Labor Committee dumped the Federation's \$1.25 per hour minimum wage bill, ***AB 684**, in the closing weeks of the session. The action was taken on voice vote reliably reported as 5 to 1, with one member absent.

Following a long struggle, the Federation had managed to push ***AB 684** through the Assembly on a roll call vote of 41 to 35, without any votes to spare in the 80-member lower house. The measure established a statutory minimum of \$1.25 per hour for all men and women and minors in the state, exempting only babysitters, and providing for translation to a piece rate minimum for farm workers that would have required growers to set piece rates so at least 80 percent of farm workers in crop activities would earn the hourly minimum.

The only Senate Labor Committee member who supported the bill was Senator Albert S. Rodda of Sacramento. His comments on his own unsuccessful motion to send the bill to the floor of the upper house accurately summarized the attitude and purpose of the Labor Committee. Rodda noted that he was not "so naive as to believe that the bill would get out of committee," but he was moving for favorable action anyway because the legislation was so patently "sound and necessary."

Likewise, the Senate Labor Committee presided over the death of another Federation bill, ***AB 683**, which would have extended the minimum wage jurisdiction of the Industrial Welfare Commission to cover male minors between the ages of 18 and 21. This bill had passed the lower house virtually without an opposing vote.

The performance of the legislature in minimum wage legislation at the 1961 session, however, cannot be related entirely in terms of the Senate Labor Committee's actions. Following precedent of two years earlier when it killed the Governor's

minimum wage bill, the Senate Labor Committee only did the job it was expected to do. What should also be noted was the difficulty of securing Assembly approval for minimum wage legislation.

Late in April, the Assembly Committee on Industrial Relations stamped a "Do Pass" recommendation on two minimum wage bills sponsored by the Federation. In addition to ***AB 684**, the committee also approved a broader measure, ***AB 682**, providing for a statutory minimum wage of \$1.25 per hour within the framework of a state fair labor standards act, with overtime provisions as well as an hourly minimum.

Because of the implied appropriation for administration of the broader measure, ***AB 682** was sent to the lower house Ways and Means Committee for clearance, while ***AB 684** went directly to the floor. Further consideration of ***AB 684**, accordingly, was held up pending release of ***AB 682**, which was assumed to be perfunctory inasmuch as the implied appropriation for administration involved less than \$175,000.

The Ways and Means Committee, however, assumed policy control over the bill, killing it for the session by sending it back to the Industrial Relations Committee after deleting coverage for agricultural workers. The action was taken with 13 Democrats present (only 12 votes being necessary for committee clearance).

The defeat of ***AB 682** left ***AB 684** on the floor, much to the surprise of some of the Assembly leaders, who had forgotten about the measure being on inactive file pending the consideration of the broader measure in Ways and Means. Almost immediately ***AB 684** was pulled off the inactive calendar and pushed through the lower house without a vote to spare, only to be killed in the Senate Labor Committee as pointed out above.

In other areas of general Labor Code changes, the Federation sponsored a substantial number of bills as summarized below. While the bulk of these

died in the Assembly, of those that reached the Senate, all but a few were polished off by the Senate labor unit.

Two general Labor Code bills sponsored by the Federation which successfully got through both houses of the legislature were ***AB 432**, which strengthens the wage security provisions in logging and sawmill operations, and ***AB 2408**, which provides for enforcement of apprenticeship fund contributions.

Noteworthy among the few additional general Labor Code measures which managed to get past the Senate Labor Committee and signed into law was **SB 548**, which strengthens the Division of Industrial Welfare's authority to enforce wage orders of the Industrial Welfare Commission, including the power of enforcement by civil action.

On the other hand, although the number of improvements were few, it must be remembered that the California Labor Code stands out among the more progressive of such state codes in the nation. In this regard, the Federation successfully opposed all hostile amendments to the general provisions of the California Labor Code.

Good Bills

Bills marked * were sponsored by the Federation

***AB 404 (Hicks)**. Required separate itemization on employee's wage statement of all payments made to health and welfare, pension, vacation and other fringe benefit programs, rather than showing all deductions as one item. Passed Assembly by a vote of 42 to 33. Referred to interim study by Senate Labor Committee.

***AB 405 (Hicks)**. Required that employer furnish employee with a wage deduction statement showing the name of the employer and the employee, the employee's social security number, the rate of pay, number of hours and itemization of all deductions. Failed in Assembly by a vote of 29 to 44, following lower house approval of a similar bill, **AB 1502**.

AB 427 (Burton). Made employment discrimination because of age an unlawful employment practice under the state Fair Employment Practices law. Dropped in committee because of the precedence given to a very mild measure on the subject, **AB 1976**, which was passed by the legislature and is reported under **CIVIL RIGHTS**.

***AB 432 (Davis)**. As introduced and passed by the Assembly, deleted a proviso exempting sawmill operators who own real property from the requirement of posting security for wages. As amended in Senate Labor Committee to conform to **SB 438** and passed, allows the exemption only if

the operator owns real property of sufficient market value to secure wages. Also adds requirement that cash and security on deposit to secure wage payments must not be commingled with other property of the employer, that they shall be held in trust and that they shall not be used for any purpose other than payment of wages due employees. Provides, further, that money so held in trust shall not be available to other creditors of employer. Chapter 318.

***AB 493 (O'Connell)**. Provided for employee time off for jury service without loss of pay, while allowing employer to deduct fees received by the employee from jury service. Referred to interim study by Assembly committee.

***AB 534 (O'Connell)**. Required a \$1,000 bond by an employer or a statement of financial responsibility from the Department of Industrial Relations to secure payments to health and welfare plans. Held in Assembly committee in favor of ***AB 693** (reported under **CONSTRUCTION AND CONSTRUCTION WORKERS**), which passed the Assembly but died in Senate committee.

***AB 542 (Kilpatrick)**. Provided for 90- rather than 30-day continuation of wage payment penalty when employer fails to pay an employee who is discharged or quits. Passed Assembly by a vote of 56 to 6. Killed by Senate Labor Committee.

***AB 561 (Gaffney)**. Gave the Division of Industrial Safety jurisdiction over all railroad yards, as well as shops, which are devoted to construction or repair of railroad equipment and work incidental and necessary to such construction or repair. Died in Assembly committee.

AB 598 (Petrís). Adds failure to pay wages required to be paid weekly, to provisions regarding time, place, circumstances and notices of payment of wages, violation of which is a misdemeanor. Chapter 139.

AB 599 (Petrís). Adds failure to pay wages required to be paid weekly, to the provisions regarding employee pay days, for violation of which the Division of Labor Law Enforcement is authorized to recover \$10 per violation in civil action. Chapter 209.

***AB 625 (George E. Brown)**. Provided that Labor Code provisions relating to the employment of women and minors apply equally to all employers, whether governmental or private. Died in Assembly committee.

***AB 666 (Marks)**. Prohibited employers from demanding, requiring, requesting, or permitting persons to submit to polygraph or lie detector tests as a condition of employment. Referred to interim study by Assembly committee.

***AB 682 (Rumford)**. Provided for the establishment of

a \$1.25 per hour minimum wage within the framework of a state fair labor standards act, with provision for time and a half beyond 40 hours a week, and for double time for over ten hours a day and 48 hours a week; also gave the Department of Industrial Relations authority to hold hearings and issue wage orders by industries and occupations establishing a minimum wage above the \$1.25 statutory minimum or maximum hours of less than those prescribed in the bill. Exemptions made in the bill as it was referred to Ways and Means Committee for clearance on a minor implied administrative appropriation excluded the following: executives, volunteer workers of nonprofit organizations, newsboys, outside commission salesmen, babysitters, and public employees. Ways and Means Committee, however, assumed policy committee control over the bill, first deleting the coverage of agricultural workers, and then deciding to re-refer the bill to Industrial Relations Committee where it died. Following the defeat of this state fair labor standards bill, the Federation concentrated its minimum wage efforts on *AB 684, which had been reported out of Industrial Relations Committee at the same time as *AB 682, but which was held on the inactive file on the Assembly floor pending efforts to clear the broader measure. (See *AB 684, below).

***AB 683 (Rumford).** Extended the minimum wage jurisdiction of the Industrial Welfare Commission over women and minors to include minors up to the age of 21, rather than 18. The effect was to extend the commission's jurisdiction to cover male minors between the ages of 18 and 21. Passed Assembly by a vote of 62 to 3, and was killed in Senate Labor Committee.

***AB 684 (Rumford).** Established a state statutory minimum wage of \$1.25 per hour without provision for overtime pay or other features of the broader state fair labor standards act proposed in *AB 682, above. Received Assembly policy committee clearance with *AB 682, and was sent to the lower house, where it was held on inactive file pending Ways and Means consideration of *AB 682. Following defeat of proposed state fair labor standards act in Ways and Means Committee, *AB 684 was taken off inactive file, amended to exempt babysitters, and set for floor consideration. By a vote of 41 to 35 the bill was passed and sent to the Senate with an additional amendment for farm workers, requiring growers to set piece rates so that at least 80 percent of farm workers in crop activities would earn the \$1.25 per hour minimum. Killed in Senate Labor Committee.

AB 1502 (Burton). Required itemization of deductions and pay scale statement with pay checks. Passed Assembly by a vote of 50 to 18. Referred to interim study by Senate Labor Committee.

AB 1828 (Z'berg). Required the payment of wages every two weeks rather than bi-monthly. Died in Assembly committee.

AB 2209 (George A. Willson). Makes Labor Code provision requiring one day of rest in seven specifically applicable to collective bargaining agree-

ments unless an agreement contains an express provision to the contrary. Chapter 839.

***AB 2408 (Petrus).** Provides that failure by an employer to make agreed payment to an apprenticeship fund is a misdemeanor. Chapter 1218.

AB 2468 (Bane). Required employers to allow at least ten minutes' rest with pay for four hours of work. Passed Assembly by a vote of 66 to 6. Killed in Senate Labor Committee.

AB 2474 (Burton). Provided that no employer shall require an employee operating a hat check stand or similar concession for an employer to return gratuities received in the operation of the concession. Referred to interim study by Assembly committee.

AB 2755 (Gaffney). Provides that, after July 1, 1962, all elevators in buildings, other than private homes, be equipped with emergency alarm system. Chapter 1928.

SB 262 (Collier). Required that employees with compensable injuries must not be denied employment unless the employer shows that there is no job that the injured employee can perform. Died in Senate committee.

SB 314 (Holmdahl). Required posting a bond for security on the payment of wages by employer in the business of operating aircraft. Died in Senate committee.

SB 438 (Christensen). Same as *AB 432 as finally passed. Died on Assembly floor.

SB 548 (Short). Among other things, authorizes state Division of Industrial Welfare to bring civil actions to recover unpaid wages or overtime compensation owing women and minors, and allows the division to seek, and courts to grant, injunctions to prevent violations of law, regulations or orders governing wages, hours of work, or working conditions of women and minors. Chapter 408.

Bad Bills

AB 144 (Levering). Extended for another two years the Defense Production Act of 1950, allowing the employment of women on a defense industry permit beyond eight hours per day, contrary to the Labor Code eight-hour law for women. Passed Assembly; died in Senate committee.

AB 177 (George E. Brown). Permitted private employment agencies to charge fees for placements on public works. Died in Assembly committee.

AB 1570 (Winton). Prohibited contracts between employers and any person or association from in any way interfering with the employment of the physically or mentally handicapped. The wording of this bill was such that it would have invalidated union contracts aimed at encouraging the employment of physically handicapped

by allowing for lower rates for the handicapped. Died in Senate committee.

AB 2347 (George E. Brown). Limited all work to ten hours unless the employee consented to longer hours or such was provided by collective bargaining agreement. Would have superseded the eight-hour limitation on work for women and public works. Referred to interim study by Assembly committee.

AB 2569 (Knox). Provided that the payment of wages would be considered timely under the provisions of the Labor Code if, in the case of a person supplying temporary office help, payment was made within 72 hours, excluding Saturdays, Sundays and holidays, of the time the employee's time sheet was received. Died in Assembly committee.

SB 908 (Fisher). As introduced, in effect repealed the eight-hour law for women by allowing work up to ten hours in all industries. Amended to leave the extension of the work day for each type of industry in the discretion of the Industrial Welfare Commission. Refused passage on the Senate floor by a vote of 5 to 29.

SB 1380 (Grunsky). Removed on-the-job training in high schools and junior colleges from the supervision of the Department of Industrial Relations, and put it under the state Board of Education. Referred to interim study by Senate committee.

Other Bills

AB 832 (Bradley). Makes numerous changes in the statutory law of arbitration, but does not

breach principles of arbitration in labor relations matters, nor does it abrogate Labor Code protections to enforce claims for wages. Chapter 461.

AB 1118 (Waldie). Modifies restrictions on the employment of aliens by public agencies in regard to teachers. Chapter 1618.

AB 2112 (Dahl). Makes it a misdemeanor to publish or cause to be published an advertisement which misleads an applicant as to the salary or commission to be earned. Amendments exempted good faith publication of such advertisements by newspapers. Chapter 1583.

SB 419 (Rattigan). Allows the Division of Industrial Welfare to issue special minimum wage exemptions to minors as well as women for a one-year period rather than 6 months. Chapter 543.

SB 1340 (Begovich). Exempts participation of minors in amateur horseback riding exhibitions, contests or events, which are sponsored by non-profit organizations and in which no minor receives payment for services or money prizes, from Labor Code provisions making it a misdemeanor to exhibit, use or employ minors under 16 in certain occupations or for certain purposes. Chapter 1808.

LABOR UNIONS

The core of the Federation's program in the field of labor legislation affecting the body and operation of the trade union movement was a series of five bills, listed below, *AB 402, *AB 403, *AB 406, *AB 425 and *AB 428, all of which were aimed at correcting serious deficiencies in California law governing labor-management relations.

All of these measures were lost in the Assembly, with the exception of the "hot cargo" repeal bill (*AB 402), which eventually died in the Senate Rules Committee after passage by the lower house.

The professional strikebreaker measure embodied in *AB 428 was the first of these measures to be taken up in committee late in March, at which time it was referred to a subcommittee for further consideration. Faced with active opposition from the newspaper industry, corporate agriculture, and employers generally, the bill never got out of subcommittee, despite a complete "rewrite" of the measure and legislative counsel's opinions proclaiming its constitutionality. It was finally pro-

nounced "dead" about a month and a half after referral to subcommittee.

*AB 425, the "little Norris-LaGuardia Act," was sent to the floor of the Assembly with a "do pass" recommendation in the middle of March. It was the first fundamental piece of labor legislation to hit the floor of the Assembly and, as such, produced the most intensive floor fight of the 1961 session. Employer groups in the capital, with corporate agriculture in the forefront, lined up solidly to battle the measure with all the strength they could muster.

When ***AB 425** was taken up, an amendment to the bill was adopted which removed the provision repealing the Jurisdictional Strike Act. Another amendment was added to spell out that the bill would not prohibit the issuance of an injunction where there was a breach in a collective bargaining agreement.

The measure was refused passage by a roll call vote of 31 Ayes to 41 Noes. The Federation immediately began pressing for reconsideration, however, which, after another intensive struggle, was carried by a vote of 46 to 28.

Prior to this final vote, additional clarifying amendments were inserted into the bill to remove any possibility of application to public employment, as well as to declare specifically that the Jurisdictional Strike Act would remain unaffected by the bill, inasmuch as the repeal of this anti-labor law had been removed earlier from the measure.

As the bill was taken up again, employers attempted to insert totally emasculating amendments which would have given the courts the power to block any concerted activity designed to achieve an objective which the courts themselves deemed to be unlawful. These amendments were defeated by a vote of 54 to 11. The vote on passage that followed, however, fell short, with 31 Assemblymen voting for the bill, and 42 against it. In a "last ditch" effort to salvage the bill, this vote was expunged from the record, thus momentarily restoring the bill on file for still another try. But the expunging action was followed by a successful motion on a 52-12 vote which sent the bill back to its committee of origin where it was ultimately buried with some five weeks left in the session.

During this hectic struggle on the floor of the Assembly, two of the Federation's remaining basic bills were taken up in committee and lost. Following a brief hearing, both ***AB 406**, the collective bargaining procedures bill, and ***AB 403**, providing for separate repeal of the Jurisdictional Strike Act, were sent to interim committee for study. At the same hearing, the committee also buried another Federation bill, ***AB 401**, declaring the public policy of the state to remain neutral in trade disputes, and prohibiting the purchase of any goods or services by the state from any party to a trade dispute.

The Federation salvaged its separate "hot cargo" repealer bill (***AB 402**) and pushed it through the Assembly. On the Senate side, the bill's chances of ultimate passage were enhanced when, in order to bypass the upper house Labor Committee, it was referred to the Committee on Judiciary. The improved chances for ***AB 402** were quickly squelched, however, when, at the close of a Senate session, the chairman of the Senate Labor Committee took advantage of the nearly vacated chamber to re-refer the measure to his committee.

A protest the following day returned the bill to the Senate Rules Committee, but all efforts exerted on the part of the Federation up to the closing minutes of the session failed to unlock the bill from committee.

On the negative side, by the same token, very few hostile pieces of legislation aimed at the body of the labor movement were introduced, and they were handily defeated. Deserving of specific mention in this regard was the introduction on April 3 of an underhanded "right to work" bill in the Senate. The proposal to outlaw the union shop was camouflaged in a seven-word amendment to the basic policy section of the Labor Code which currently spells out state policy in support of the right of workers to organize for the purpose of collective bargaining or other mutual aid or protection. In the selection or designation of a labor organization for this purpose, the Code section now currently declares that the individual worker "shall be free from interference, restraint, or coercion of employers of labor, or their agents . . ." To this, the proposed measure, **SB 1107**, would have added, "or of labor organizations or their agents," thus converting a provision designed to protect workers in the exercise of their organizational rights into a vehicle for suppressing the negotiation of a union shop or other union security contract by the labor organization selected by the employees. The proposal did not get off the ground, however. Although it was referred to the Senate Labor Committee, it was never taken up for consideration.

Finally, it should be noted in passing, in regard to organizational and collective bargaining rights of public employees, that a number of bills introduced on this subject are reported under **PUBLIC EMPLOYEES**.

Good Bills

Bills marked * were sponsored by the Federation

AB 17 (Charles H. Wilson). Established organizational and collective bargaining rights for hospital and institutional employees. As originally introduced, provided for compulsory arbitration in case of disputes, which was amended to compulsory mediation in conformance with a Federation-sponsored measure on the subject, ***AB 366**. Additional amendments were added to provide for the settlement of representation questions by the state Conciliation Service along with the duty of hospitals and institutions to bargain in good faith. The measure died in Ways and Means Committee after receiving a "do pass" recommendation from the Committee on Industrial Relations.

***AB 366 (Cameron).** Established organizational and collective bargaining rights for hospital and institutional employees with provision for compulsory mediation. Held in committee where it died because of precedence given to **AB 17** above at the request of affiliates.

***AB 401 (Hicks).** Provided for neutrality in trade disputes by the state and its agencies by prohibiting the state from buying goods from a concern involved in a trade dispute. Died in Assembly committee.

***AB 402 (Hicks).** Repealed the unconstitutional "hot cargo" and secondary boycott law which is still in the Labor Code. Following the defeat of ***AB 425**, this measure was passed by the Assembly on a roll call vote of 52-12. Died in Rules Committee on Senate side.

***AB 403 (Hicks).** Separately repealed the so-called Jurisdictional Strike Act. Referred to interim committee study by Assembly.

***AB 406 (Hicks).** Established procedures for determining collective bargaining rights in intrastate commerce, and repealed the so-called Jurisdictional Strike Act. Referred to interim committee study by Assembly.

***AB 425 (Burton).** Provided for enactment of a state "little Norris-LaGuardia Act," restricting the issuance of anti-labor injunctions by requiring a showing of irreparable harm to property as a condition for receiving injunctive relief in a labor dispute. Defeated on Assembly floor.

***AB 426 (Burton).** Same as ***AB 425**, except that it did not contain the repeal of the Jurisdictional Strike Act and secondary boycott law. Held in committee where it died on committee approval of ***AB 425**.

***AB 428 (Burton).** Proposed a state anti-professional strikebreaker law, making it illegal to procure and import professional strikebreakers. Measure was referred to subcommittee of the Committee on Industrial Relations where it was completely rewritten and finally killed after a few brief hearings.

***SB 1254 (Miller).** Prohibited the State Bar or the Supreme Court from preventing or restraining group legal practice. Referred to interim study by Assembly committee.

Bad Bills

AB 2367 (Cologne). Made it unlawful to enter or remain on land without the permission of the owner. Died in Assembly committee.

AB 3013 (Porter). Made it unlawful to picket the residence of a member of the legislature. Died in Assembly committee.

SB 1107 (Murdy). Provided for the enactment of a "right to work" law, by changing a few words in the present Labor Code section 923 on the right to organize in order to prevent union shop agreements. The bill was never brought up for a hearing, although it was referred to the Senate Labor Committee.

MOTOR VEHICLES

Good Bills

Bills marked * were sponsored by the Federation

AB 947 (Hegland). Requires a truck or truck tractor having three or more axles and truck tractors with semitrailers, as well as motor vehicles that are presently used to carry property or passengers for hire, to display on both sides of the vehicle the name or trademark of the person under whose authority the vehicle is being operated or the name of the lessor or lessee of the vehicle. Chapter 210.

AB 963 (Lunardi). Requires that traffic officers wear distinctive uniforms and drive in vehicles of distinctive color while on duty. Chapter 202.

AB 1395 (Bee). Prohibited changing of odometer reading on motor vehicles without notifying purchaser at the time of the sale. Passed Assembly but died in Senate committee.

AB 1842 (Sumner). Provides that the robbery of a person who is performing duties as an operator of a motor vehicle, streetcar or trackless trolley, used for transportation of persons for hire, is a robbery in the first degree instead of second degree. Chapter 1874.

***AB 2059 (Meyers).** Provided that traffic officers shall not permit vehicles carrying metal or other heavy material to proceed unless the load is safely loaded and secured. Dropped in Assembly committee because of existing authority extending to officers with respect to the subject matter of the bill.

Bad Bills

AB 45 (Belotti). Allowed California Highway Patrol to use patrol cars of different colors. Died in Assembly committee.

SB 1294 (Collier). Provided for adoption of local vehicle license fees. Passed Senate; died in Assembly committee.

Other Bills

AB 417 (Carrell). Created a state motor vehicle commission to regulate and license motor vehicle dealers, auctions and salesmen. Referred to interim study by Assembly committee.

AB 639 (Rees). Proposed the establishment of local safety inspection programs and authorized city and county governments to operate such local area vehicle inspections. Referred to interim study by Assembly committee.

AB 641 (Dahl). Required safety plate glass in automobiles. Referred to interim study by Assembly committee.

AB 2229 (Lunardi). Provides for issuance of uniform driver's license showing the type of vehicle or combination of vehicles that an individual is qualified to operate. Chapter 1615.

AB 2796 (Meyers). Provided for the licensing of automobile repair shops by the Department of Motor Vehicles, and prohibited any person from engaging in repair work unless such person was certified by the department or had completed a four-year apprenticeship program. Referred to interim study by Assembly committee.

SB 1202 (Dolwig). Prohibits Motor Vehicles Department from issuing or renewing a person's driver's license if the department has been notified by court that the person has failed to pay fines for moving violations within authorized time. Provides for notice to be sent to the department not less than 30 nor more than 60 days, rather than not less than 10 or more than 30, for issuance of a warrant for failure to pay fines on time. Makes wilful failure to pay such fines within the time authorized by court a separate misdemeanor offense. Chapter 1653.

PUBLIC EMPLOYEES

As in previous sessions, organizational and collective bargaining legislation for public employees was an area of major focus at the 1961 legislative session. The Federation's principal proposal, ***AB 351**, extending to public employees the basic Labor Code policy provisions on encouragement of organization for collective bargaining and other concerted activities, was lost early in the session. This was also true of specific bills to provide organizational and collective bargaining rights for employees of municipal utility districts, teachers, and hospital workers, which are reported below and in other appropriate sections of this report.

On the other hand, a series of bad bills on the subject were killed. These included measures to prohibit any kind of strike activity by public employees on penalty of losing civil service status; legislation to destroy collective bargaining in the Los Angeles Metropolitan Transit District by the establishment of a civil service system for all district employees; and a measure advanced primarily by the California State Employees Association and other non-affiliated public employee groups which, under the guise of establishing a formal representation procedure for all public employees in the state, would have ruled out of the public employee field virtually every bona fide labor organization affiliated with the AFL-CIO.

In other areas of public employee legislation, numerous improvements were enacted by the legislature. Particularly noteworthy among these are: **AB 541**, providing for a \$5 state contribution toward a long overdue health insurance program for state employees; and **AB 873**, establishing a

liberal formula for coordination of the state employees retirement system with federal social security, and giving individual state employees the option of electing coordination without a referendum vote.

Passage of the OASDI coordination bill is a major victory for AFL-CIO affiliated organizations, which worked closely with Assemblyman Bane to secure passage of the bill over the opposition of the CSEA. The Federation dropped its own bill on the subject to work for the passage of **AB 873**.

Another significant bill enacted into law was **AB 1788**, liberalizing the dues check-off for public employee organizations.

(Other bills and advancements for public employees are reported under sections on FIRE-FIGHTERS and SCHOOLS.)

Good Bills

Bills marked * were sponsored by the Federation

***AB 345 (George E. Brown).** Provided for Friday holiday when a state holiday falls on Saturday. Died in Assembly committee.

***AB 346 (George E. Brown).** Provided for coordination of state employees retirement system with federal OASDI program on a liberal formula without prior requirement of a referendum vote. Dropped in support of AB 873, enacted into law.

***AB 347 (George E. Brown).** Provided for cost of living increases for retired state employees and established a cost of living escalator clause for future increases. Died in Assembly committee.

***AB 348 (George E. Brown).** Provides that alternate member of the board of retirement under County Employees Retirement law of 1937 shall vote as a member of the board only in the event that the second, third or seventh member is absent from the board meeting; provides that alternate shall sit on the board in place of the seventh member when the member of the same service is before the board for determination of his retirement. Chapter 732.

***AB 349 (George E. Brown).** Provided for minimum retirement allowance of 40 percent of final compensation for safety members under county retirement systems who retire after 25 years of service. Died in Assembly committee.

***AB 350 (George E. Brown).** Specified that neither the state nor any political subdivision may enact any statute, ordinance or charter provision limiting the participation of public employees in political activities during their off-duty hours. Died in Assembly committee following a re-referral from Assembly Industrial Relations Committee to Committee on Elections. See also AB 531.

***AB 351 (George E. Brown).** Extended to public employees basic Labor Code sections relating to the right to organize for collective bargaining and other concerted activities. Died in Assembly committee. See AB 2375, below, enacted into law.

***AB 421 (George E. Brown).** Prohibited use of public employees not in a building or construction classification of a civil service system for performance of building or construction work. Died in Assembly committee.

***AB 494 (O'Connell).** Required every governmental agency, local or state, to contribute to welfare plans or funds for the benefit of its employees in the same manner and on the same basis as private employers in contributing to similar plans for funds for the benefit of their employees. Died in Assembly committee.

AB 531 (Waldie). Broadened the permissible political activities of public employees. Died in Senate committee following Assembly approval by a vote of 42 to 23.

AB 541 (Meyers; co-authored by Senator Geddes). Establishes under jurisdiction of the board of administration of the state employees retirement system, expanded by three public members, a con-

tributory health insurance plan for state employees: provides that the state shall, through group hospital and medical care plans contracted for or approved by the administering board, pay up to \$5 of the monthly insurance premium for each participating employee or annuitant. Chapter 1236.

AB 770 (Z'berg). Makes applicable a 1960 amendment to the federal OASDI program, relating to involuntary transfers of employees of political subdivisions, to transfers occurring prior to the date of enactment of the amendment; also validates prior actions of the executive officer of the state employees retirement system to effectuate amendments in the state. Chapter 599.

AB 802 (Hawkins). Limited to 15 percent the weight assigned to the oral phase of civil service examinations. Referred to interim study by Assembly committee.

AB 873 (Bane; co-authored by Senator Geddes). Provides for coordination of state employees retirement system with the federal OASDI program on a liberal, so-called 1/60 to 1/90 formula without prior requirement of a referendum vote among state employees as a condition for individual selection of coordination. Passage was secured by affiliated labor organizations over the opposition of the California State Employees Association, which tried unsuccessfully for a referendum of state employees prior to permitting any division of the system for purposes of coordination. Such a referendum amendment was defeated in Assembly committee and then inserted in Senate committee prior to Senate passage, which sent the bill to conference between the Assembly and Senate. The conference report deleting the referendum was pushed through the legislature in the closing minutes of the session. Chapter 1834.

AB 943 (Leggett). Exempts person receiving a disability retirement allowance for industrial disability from the requirement that the disability retirement allowance be reduced for gainful employment outside of the state service. Specifies that the amendment becomes effective for a contracting agency in the case of safety members without election on the part of such agency. Chapter 2169.

AB 1030 (Meyers). For purposes of determining when a 90-day limitation for commencing legal action on a grievance arising under the state civil service starts running, specifies that a cause of

action does not arise until the state Personnel Board has made a final decision. Chapter 625.

AB 1031 (Meyers). Required state to pay the cost of medical examinations required of applicants or employees in the state civil service, in accordance with conditions established by the state Personnel Board. Died in Assembly committee.

AB 1788 (Thomas). Permits employees of a public agency to authorize a payroll deduction for payment of dues in any bona fide organization, rather than association, whose membership is composed, in whole or in part, rather than exclusively, of employees, rather than public employees, of such agency and which has as one of its objectives the improvement in the terms or conditions of employment. Chapter 1113.

AB 2092 (Rumford). Required that county employees' salaries be fixed at an amount at least equal to the prevailing salary or wage paid for service of the same quality under similar employment by private industry or other public agencies. Referred to interim committee study by Assembly.

AB 2218 (Cologne). Authorizes counties to pay salaries of its officers and employees more frequently than monthly. Chapter 1328.

AB 2436 (Beaver). Authorized state Personnel Board to establish salary ranges above prevailing rates for comparable service in other public employment or private business when the needs of recruitment and retention of qualified personnel require. Referred to interim committee study by Assembly.

AB 2466 (George E. Brown). Provided that employees of a municipal utility district or a public utility district shall have the right of self-organization, and to join and participate in the activities of employee organizations for the purposes of collective bargaining. Established procedures for determination of representation rights and for the submission of disputes to the state Conciliation Service. Died in Assembly committee. See AB 2375 below.

AB 2644 (Petris). Provided that state employees shall be reimbursed for damage to articles in line of duty caused by defective equipment. Died in Assembly committee.

AB 2645 (O'Connell). Permitted state employees to authorize wage deductions for purchase of credit union shares or payment of money to credit unions. Died in Assembly committee.

AB 3115 (Meyers). Gave state employee right to inspect documents in the possession of the appointing power when served notice of punitive action. Gave such employee right to interview other employees having knowledge of acts or omissions upon which the punitive

action is based. Passed Assembly; died in Senate committee.

AB 3128 (Meyers). Prohibited any state agency from requiring or permitting applicants for employment or employees to submit to or take a polygraph, lie detector or similar test or examination as a condition of continued employment. Referred to interim committee study by Assembly.

SB 298 (Rodda). Suspends compulsory retirement in state service until January 1, 1962 for purposes of allowing state employees to select coordination of the state retirement system with federal OASDI under AB 873 with retroactive coverage provisions. Chapter 7.

SB 694 (Holmdahl). Removes local safety member receiving disability retirement allowance for industrial disability under the state employees retirement system from provisions requiring reduction of such allowance when gainfully employed. Chapter 407.

Bad Bills

AB 581 (Charles H. Wilson). Would have prohibited a union representative on payroll of a public employee organization from appearing before any board, commission or other agency authorized to conduct public hearings in a county in connection with any application, petition, contract or other matter with which the representative participated directly as an officer or an employee of the county within two years after separation or termination of services with the county. Died in Assembly committee.

AB 720 (Thelin). Under penalty of discharge, prohibited public employee from participating in any strike against his employing agency. Died in Assembly committee. See also ACA 23.

AB 1966 (Kennick). California State Employees Association's proposal for the establishment of a formal representation procedure for public employees; contained many provisions which would have thwarted or precluded public employee representation by affiliated organizations. At the author's request, referred to interim committee study by the Assembly.

AB 2601 (Shell). Abolished collective bargaining rights and procedures in Los Angeles Metropolitan Transit Authority Act by providing for establishment of a civil service system for all employees by resolution of the Transit Authority. Referred to interim committee study by Assembly.

ACA 23 (Thelin). Proposed constitutional amendment, providing that participation in any strike by employees of the state or a political subdivision thereof is unlawful, and that an employee who does so shall be discharged, shall forfeit civil service status, and shall not be eligible

for re-employment for three years. Died in Assembly committee.

Other Bills

AB 300 (Meyers). Revises system of performance evaluation for state civil service employees. Chapter 1417.

AB 1028 (Meyers). Provides that appointments in the state civil service when made from a general re-employment list shall be subject to an additional probationary period unless waived by the appointing power. Chapter 382.

AB 1032 (Meyers). Permits a state agency, for training purposes, subject to state Personnel Board rules, to temporarily assign an employee duties within the agency that are not consistent with his civil service class. Increases from one to two years the limitation on such temporary assignment or loan of an employee. Chapter 292.

AB 1036 (Meyers). Deletes physical and mental disability as a cause for discipline of a state civil service employee. Provides that the employment of a state civil service employee may be terminated after medical findings that he is unable to perform work of his position, with various safeguards for protection against abuse. Chapter 293.

AB 1736 (Charles H. Wilson). Provides that Los Angeles Metropolitan Transit Authority shall be subject to jurisdiction of the Public Utilities Commission with respect to safety orders and other regulations governing the operation of passenger stage corporations and street railway corporations as contained in General Order No. 98 of the PUC. Chapter 1571.

AB 2375 (George E. Brown). Establishes new chapter in Government Code governing public employee organizations, applicable to those areas of public employment not governed by other legislation regulating employer-employee relations. As amended on numerous occasions and enacted into law, declares in general terms the right of public employees to join or refuse to join organizations of their own choosing without interference on the part of either public agencies or employee organizations, "for the purpose of representation on all matters of employer-employee relations." The scope of representation is defined to include all matters relating to employment conditions and employer-employee relations, including but not limited to hours, wages, and other terms and conditions of employment. Allows public em-

ployee organizations to establish reasonable restrictions on who may become members, and gives public agencies themselves general rule-making authority to implement the provisions of the bill, including verification of the official status of an employee organization. Imposes a requirement on the governing body of a public agency to meet and confer with representatives of employee organizations upon request, and to consider "as fully as it (the public agency) deems reasonable such presentations as are made by the employee organization on behalf of its members prior to arriving at a determination of policy or course of action." Permits the governing body of a public agency, in accordance with reasonable standards, to "designate positions or classes of positions which have duties consisting primarily of the enforcement of state laws or local ordinances," and, by resolution or ordinance adopted after public hearings, to "limit or prohibit the right of employees in such positions or classes of positions to form, join or participate in employee organizations where it is in the public interest to do so." Further provides that bill shall not be construed as making applicable to public employees the provisions of the Labor Code containing the declaration of state public policy regarding collective bargaining. Chapter 1964.

AB 2664 (Winton). Provides that whenever a function or administration of law is transferred from one state agency to another, all persons serving in state civil service and engaged in performance of function or administration of law shall be transferred to such agency, retaining their positions and rights under civil service laws. Provides that state agency is not required to retain any unnecessary officers or employees. Chapter 2124.

AB 2813 (George E. Brown). Authorizes local public agencies to approve group insurance plans of their officers and employees as well as to contract for them, and authorizes the agency to approve plans where a bona fide employees' association is the master contract holder. Provides also that provisions relating to group insurance for employees of the local agency do not authorize the issuance of any group policy unless the policy concerning which representation is made is designed as a group policy under the Insurance Code. Authorizes officers and employees of public agencies to have insurance premiums deducted from their wages if the plan of insurance is approved by the governing body. Chapter 1938.

PUBLIC HEALTH

(See also AGRICULTURE AND AGRICULTURAL
LABOR, INSURANCE and INDUSTRIAL
SAFETY)

Good Bills

Bills marked * were sponsored by the Federation

AB 249 (Cameron). Among other things, makes applications for hospital licenses, annual reports made by hospitals and reports filed after January 30, 1961 regarding inspections of hospitals' public records open for the inspection of any citizen of the state. Chapter 218.

***AB 317 (Rumford).** As introduced and passed by the Assembly, prohibited nursing and convalescent homes from using the title "hospital". Before passage, the bill was weakened in Senate committee by permitting the use of the title "hospital" by such homes when preceded by some qualifying descriptive word such as convalescent, geriatric, rehabilitation or nursing. Chapter 1178.

***AB 344 (George E. Brown).** Required Department of Public Health to prescribe minimum standards of nursing care for county hospitals. Killed in Assembly committee. **ACR 94**, below, was introduced and adopted following the defeat of this bill.

AB 567 (Cameron). Required hospitals to file with the Department of Public Health a schedule of fees and charges for all services and goods normally provided by the hospital. Also required posting of changes in fees. Referred to interim committee study by Assembly.

AB 1266 (Cunningham). Revises, expands and generally strengthens provisions regulating construction and operation of auto courts, resorts and motels, including provisions regarding materials, permits, fees, toilets, windows, stairways and exits, garages, gas appliances, cooking appliances and electrical wiring. Chapter 1237.

AB 1317 (George E. Brown). Created a board of X-ray technician examiners for the establishment of standards and qualifications for licensing of X-ray technicians. Killed in Assembly committee.

AB 2237 (Mills). Requires that whole carcasses of poultry meat, to which spoilage retardant compound has been added, to be marked for consumer to indicate a retardant used before being offered for either wholesale or retail sale. Chapter 1895.

AB 2378 (Cameron). Created a state board on hospital practices and procedures to adopt rules and regulations prescribing uniform hospital practices and proce-

dures for general and specialized hospitals licensed by the Department of Public Health. Died in Assembly committee.

AB 2379 (Cameron). Required Department of Public Health to establish a uniform accounting system for hospitals; required hospitals to furnish the department, annually, financial, operational and ownership information. Died in Assembly committee.

AB 3045 (Meyers). Required eggs to be kept at temperature of 60 degrees Fahrenheit or less until delivered to the consumer. Referred to interim committee study by Assembly.

ACR 94 (George E. Brown). Introduced following the defeat of ***AB 344**, provided for the Department of Public Health to collect and analyze data necessary for the development of standards of nursing care for patients in county hospitals and to recommend minimum statewide standards for consideration at the 1963 session. As amended in the Senate before passage, and generalized, requests the Public Health Department to collect and analyze data necessary for the development of standards in governmental health services, appraise continually the quality of care provided, and periodically report its findings to the public. Filed with the Secretary of State. Chapter 202.

SB 1 (Rattigan; co-authored by Assemblyman Bagley). Makes it unlawful for anyone other than a consumer to remove from poultry the official inspection mark for wholesomeness; prohibits marking uninspected poultry with an inspection mark. Chapter 720.

SB 3 (Rattigan; co-authored by Assemblyman Bagley). As introduced, would have required all poultry offered for sale, packaged or otherwise, to be labeled to show the state in which it was grown. As amended and passed, requires whole carcasses of chicken poultry meat to be so labeled. Chapter 654.

SB 390 (Stiern). Among other things, requires cleaning of poultry plants and premises after each day's operation; specifically requires poultry meat inspection to be in accordance with regulations, making it unlawful to sell or mark as inspected poultry meat that has not been inspected and passed for wholesomeness; and authorizes Director of Agriculture to inspect or reinspect poultry meat or poultry meat food products being processed or stored in licensed poultry plants, providing for condemnation of any found unwholesome. Chapter 913.

Bad Bills

AB 496 (Sedgwick). Among other things, weakened sanitation requirements in trailer parks. Referred to interim committee study by Assembly.

AB 2129 (Winton). Exempts from requirement of marking with its class designation, poultry when prepared for transportation or being transported to a plant for further preparation or packaging. Chapter 838.

Other Bills

AB 264 (Grant). Repeals and reenacts California Restaurant Act regulating sanitation of restaurants, itinerant restaurants, vehicles and vending machines. Chapter 633.

AB 1229 (Rumford). Extends for two years power of Board of Nurse Examiners to issue temporary permits to out-of-state licensees. Chapter 449.

AB 1626 (Hegland). Redefines frozen food locker plant and frozen food processor; deletes license fee exception for plants where the only service is cutting, wrapping, and freezing meat for consumer. Chapter 1868.

AB 1633 (Lunardi). Requires every employer of registered nurses to ascertain that their nurses are currently authorized to practice as registered professional nurses. Chapter 1110.

AB 2983 (Nisbet; co-authored by Senator Stiern). Implements in greatly weakened form a recommendation from the Governor's Committee on Medical Aid and Health for regional planning in hospital development. Authorizes state advisory hospital council to establish a hospital planning region, with a local hospital committee of 10 members for each region, in the San Francisco Bay area and the Los Angeles metropolitan area. Provides that the committee, on request of local governmental agencies or local hospital groups, shall aid in developing regional hospital plans. Requires the committee to report on its activities to the council and to the legislature at the 1963 session. Contains automatic expiration date on the 91st day after adjournment of the 1963 session. Chapter 1754.

SB 412 (Burns). Generally strengthens Health and Safety Code provisions regarding color additives and adulteration of food. Chapter 308.

SB 456-476 (Gibson). Provide for biennial licensing of state licensees, including vocational nurses,

funeral directors and embalmers, psychiatric technicians, dentists, optometrists, pharmacists, and others. Chapters 363-367, 400, 1248-1259, 1395, 1635-36.

SB 928 (Thompson). Prohibits keeping or displaying at temperatures above 50 degrees Fahrenheit, packaged processed fresh foods, as well as canned meats and meat products, which will support growth of pathogenic organisms. Deletes provision requiring such keeping or display only when the label requires refrigeration. Exempts, however, certain restaurants, itinerant restaurants, vehicles and vending machines. Chapter 1776.

RECREATION

Good Bills

AB 139 (Waldie; co-authored by Senator Rodda). Directs a survey of development of channel reaches and banks of Sacramento River and Delta for recreation and wildlife purposes. Chapter 324.

AB 261 (Davis). Major policy bill on recreation development and fish and wildlife enhancement in multi-purpose water development projects. Provides for planning of water development projects to maximize recreation and fish and wildlife enhancement potential; makes preservation of fish and wildlife a charge against water users and enhancement a non-reimbursable item charged against general taxpayers. Bill is limited, however, by the lack of financing provisions to carry it out, which were deleted from the original bill. Chapter 867.

SB 602 and SCA 15 (Cameron). Provided for \$75 million state bond issue for developing statewide recreation program, including acquisition and establishment of beaches, parks and recreational facilities and historical monuments. Died in Senate committee.

SB 777 (Teale). Requires Department of Water Resources to submit to legislature copies of plans on recreational development associated with state-constructed water projects. Chapter 1156.

SB 779 (Teale). Requires that California Water Resources Development System reservoirs (other than terminal reservoirs from which untreated water is supplied for domestic use) be open to body contact sports where compatible with public health and safety requirements. Chapter 1771.

Other Bills

AB 851 (Hanna). Authorizes harbor improvement district to acquire, improve and maintain lands within district for public beaches, and sets up procedures for acquisition, improvement and maintenance of such lands. Chapter 441.

AB 1640 (Sumner). Provides that whenever property owned by a county and held for ultimate use for parks and recreational purposes is included within a city by annexation or incorporation, ownership and control of the property shall remain in the county unless board of supervisors shall convey the property to the city. Chapter 776.

AB 2759 (Gaffney; co-authored by Senator McAteer). Defines organized camps and provides for their regulation by the Department of Public Health. Exempts from definition, charitable or recreational organizations which comply with regulations for recreational trailer parks, as well as motels, tourist camps, trailer parks, resorts, hunting camps, auto courts, labor camps, penal and correctional camps or institutions, or home-finding agencies. Prohibits operation of any organ-

ized camp that does not satisfy minimum standards of Public Health Department. Exempts such camps from regulation by any state agency other than the state Department of Public Health except to the extent that the Department of Industrial Relations may have authority to regulate wages, hours, or conditions of employment of employees of organized camps, and except that fire and safety laws of the state fire marshall shall apply. Chapter 1929.

SB 61 (Farr). Authorized cities and counties to designate areas as scenic reserves and to prepare and adopt conservation and development plans for such areas, prescribing procedures therefor. Pocket-vetoed by Governor.

SB 353 (Collier). Provides for classification of units of state park system by state Park Commission as state parks, scenic and scientific reserves, historical units, state recreation areas, and state beaches. Declares public interest in permitting hunting, fishing, swimming, trails, camping, campsites and rental vacation cabins in recreational areas where Park Commission finds that such multiple use would not threaten safety and welfare of other state recreation area users. Chapter 1632.

SCHOOLS

(Includes Teachers and Child Care Centers)

The list of accomplishments in 1961 in legislation affecting the public school system is long and impressive, as indicated below by the number of good bills enacted into law. The AFL-CIO Teachers, working closely with the California Labor Federation, won major victories with the enactment of legislation providing all probationary teachers in the state with protections from arbitrary dismissals, and extending the teacher tenure law to smaller districts. Many additional pieces of legislation were enacted which represent substantial steps forward in the working conditions of teachers and the general improvement of our school system.

The most significant enactment of the session, however, was undoubtedly the passage of **SB 57**, which enacts long overdue reforms in the credentialing of school teachers, with emphasis on improving the subject matter competency of instruction in the schools.

This bill, a key item in the Governor's legislative program, was actively supported by the Federation and the AFL-CIO Teachers. As the most important accomplishment in the field of education at the session, its passage was also a serious defeat for the heretofore dominant California Teachers Associa-

tion, which opposed the bill throughout the legislative process. In the course of its approval, the Federation worked closely with its author, Senator Fisher, on basic aspects of the bill, including the provision of a standard designated subjects credential with specialization in technical and industrial education.

In addition, bills were approved to provide for statewide testing of elementary and high school students; improve the ratio of school expenditures going for classroom instruction; provide a state-financed educational program for gifted children, along with a series of measures designed to improve higher education institutions.

The Federation also succeeded in raising the income limits of parents for admissions to state-supported child care centers. This was one of the major bills in the child care program, along with another measure increasing the amount of state aid.

On the negative side, the Federation successfully battled against measures which would have destroyed the state textbook law by providing for multiple adoptions at the local level. The success of these measures would have had the effect of seriously increasing textbook costs without a commensurate increase in the quality of textbooks, at a time when the demands on school finances in areas of higher priority are increasing by leaps and bounds.

In summary, it can be said that the 1961 session's achievements in the field of education gave testimony to the effective contribution which organized labor and the AFL-CIO Teachers are making toward the betterment of our public school system and institutions of higher learning.

(See also sections on CIVIL RIGHTS AND CIVIL LIBERTIES and PUBLIC EMPLOYEES.)

Good Bills

Bills marked * were sponsored by the Federation

***AB 336 (Elliott).** As introduced, increased maximum income eligibility requirements by 15 percent for admissions to child care centers. As amended and enacted, provides for a 10 percent increase. Chapter 877.

***AB 337 (Elliott).** Provides probationary teachers with protections from arbitrary dismissals in smaller districts as well as those with 85,000 average a.d.a. or over. Although amended several times before passage, the bill establishes basic protections for any probationary teacher in the state who is dismissed, including the following: (1) a letter stating the reason for dismissal; (2) public hearing to determine the cause of dismissal—reasons which must relate solely to the welfare of the schools and the pupils thereof; (3) an appeal to the courts on the basis of the procedures of the hearings. Chapter 2114.

AB 340 (Winton). Instructs state Board of Education to require testing programs in all school districts through grade 12. Allows local selection of the tests to be used from a list approved by the

board. Requires that state Department of Education be informed of test results. Chapter 994.

AB 362 (Bee; co-authored by Senator Rodda). Establishes special programs for the identification and education of mentally gifted minors. Chapter 883.

***AB 367 (George E. Brown).** As introduced, extended collective bargaining rights to employees of school districts and state colleges. Died in Assembly committee after amendment confining the bill to the protection of organizational rights.

AB 387 (George A. Willson). Allows school boards to pay teachers every two weeks or every four weeks. Chapter 103.

***AB 414 (Elliott).** Prohibited the imposition of tuition fees for adult education classes. Died in Assembly committee.

AB 553 (Elliott). Provides that school districts should be encouraged to provide adequate duty-free lunch periods for teachers. Allows the school district to use recreation personnel or other suitable persons to supervise pupils during school lunch period. Chapter 601. A broader measure, **AB 1316 (Elliott)**, providing specifically for a 60-minute duty-free lunch period, was lost in committee.

AB 608 (Garrigus). Requires planning for one or more junior college districts in each county. Prohibits, after February 1, 1963, any district, except junior college district, from being formed to maintain junior college. Chapter 1077.

AB 626 (George E. Brown). Gave teachers the right to inspect their complete personnel files. Following several severely weakening amendments, the bill was dropped in the Senate after passage in the Assembly by a vote of 61 to 13.

AB 816 (George E. Brown). Authorizes school districts maintaining high schools, with the approval of the Department of Education, to establish classes to serve educational needs of handicapped adults. Chapter 1018.

AB 868 (Casey). Permits school districts to allow one-year sabbatical leaves for teachers to be spread over a three-year period in separate six-months leaves. Chapter 256.

AB 870 (Hanna). Requires, rather than permits, school districts to grant leaves of absence to non-certificated employees called for jury duty and to pay the employees the difference between their

regular earnings and the amount received as jury fees. Chapter 1297.

AB 880 (Winton). Makes it a misdemeanor to discipline school employees for appearances before a school board. Chapter 1681.

AB 985 (George E. Brown). Gave school districts the option of coordinating federal OASDI program with existing retirement programs. Died in Assembly committee.

AB 1000 (Winton). Contained Governor's proposal for countywide equalization aid, which was eliminated from the bill. As passed, increases by 26c per unit of a.d.a. in all grade levels in the state, the amount to be transferred from the general fund to the state school fund for support of public schools, with the increase allotted for growth apportionments and special education. Chapter 887.

AB 1082 (DeLotto). Contains a Federation-sponsored amendment relating to the standard designated subjects teaching credential with a specialization in vocational trade and technical teaching, as established by **SB 57** below. Provides that the holder of such a credential, if he meets requirements for standard supervision credential, shall be authorized to supervise and administer programs of trade and technical education in districts or schools with curricula predominantly trade or technical or industrial in nature. Chapter 1691.

AB 1305 (Burton). Makes applicable to school boards, state policy declaring that it is contrary to state interests to discriminate in employment of school district personnel because of age or marital status. Chapter 1700.

AB 1403 (Waldie). Extended teacher tenure law to all districts, eliminating exclusion of districts with a.d.a. of 850 or less. Passed Assembly by a vote of 41 to 35, but was held up in Senate committee in favor of **SB 946**, extending the tenure law to districts with at least 250 a.d.a., which was introduced only because of labor's drive behind the Waldie measure.

AB 1512 (Charles H. Wilson). Authorizes Los Angeles school district to raise its tax limit by an override tax to provide for payment of employees' health and welfare plans. Chapter 2118.

AB 1678 (Mills; co-authored by Senator Rodda). Prevents excessive use of substitutes to avoid the hiring of regular qualified teachers on a full probationary status. Provides that a substitute teacher employed 75 percent of the school year in the same classes shall be accorded probationary status if such substitute meets other usual requirements. Chapter 1103.

AB 1709 (Casey). Established a statewide system of tenure, transferable to any school district, once tenure is obtained. Died in Assembly committee.

AB 1786 (Garrigus). Containing the provisions of a Senate interim committee-developed measure, **SB 1125 (Arnold)**, adds new provisions regarding school district expenditures for teachers' salaries requiring the expenditure of specified percentages of "current expenses of education" for "salaries of classroom teachers," defining the latter terms, authorizing the diversion of specified state school fund apportionments for non-compliance, providing an exemption procedure where compliance causes hardship or inequity, and making other necessary and related changes. Chapter 2194. See also **SB 1224**.

AB 2105 (Porter). Increases from 13 to 14 cents per hour per child the figure to be used in preparing the fee schedule to be charged parents of children admitted to state-supported child care centers. Increases from 26 to 28 cents the statewide average state support per hour per child at such centers, and boosts from 31 to 33 cents per hour per child the maximum amount of state funds that may be apportioned to school districts for child care centers. Chapter 882.

AB 2198 (O'Connell). Permits San Francisco school district to raise its tax limits to provide for payment to health and welfare plans of school employees. Chapter 1893.

AB 2390 (Garrigus; co-authored by Senator Grunsky). Provides that in school district reorganizations classified employees shall have a right to continue in employment for at least one year and to retain their salary, leaves and other benefits. Chapter 1070.

AB 2804 (Petrus). Establishes procedures for separation of junior college and high school districts or unified districts and for formation of new junior college districts. Chapter 1935.

AB 2860 (O'Connell). Required the establishment of a teacher placement service in the state employment service. Refused passage on Assembly floor by a vote of 22 to 48. Senate companion, **SB 938 (Rodda)** was lost in Senate committee.

ACR 78 (Hanna). Requests the trustees of the California State Colleges to provide for the establishment at each state college of an academic senate or council wherein the faculty members shall be freely selected by their colleagues for the

purpose of representing them in the formation of policy on academic and professional matters. Filed with the Secretary of State. Chapter 267.

ACR 106 (Hanna). Calls for a coordinated study to find ways and means of substantially increasing state college and university teachers' salaries within the next decade. Filed with Secretary of State. Chapter 271.

SB 33 (Farr). Creates a television advisory committee and the position of television coordinator in the Department of Finance. Prescribes their duties in connection with educational television. Bill becomes operative when federal grants-in-aid for educational television become available to public agencies in the state. Chapter 2065.

SB 57 (Fisher; co-authored by Assemblyman Winton). Basic reform bill in the certification of teachers; reduces the number of credentials from forty to a basic five, and places emphasis on subject matter competency in the training of teachers. Imposes higher academic training standards for both prospective instructors and administrators. See also **AB 1082**, above. Chapter 848.

SB 196 (Farr). Authorizes school districts and county superintendents of schools to purchase broadcast time and to own, lease and operate television transmitting facilities for use in providing instructional services or teachers' inservice educational services which they are otherwise authorized to provide. Bill authorizes such action to be taken by district and county superintendents either alone or in concert with other districts and county superintendents; authorizes the selling of broadcast time on a reimbursement basis to other districts and county superintendents for specified services, and acceptance of grants-in-aid from public or private sources for purposes of the bill. Chapter 656.

SB 554 (Miller). Provides that substitute teachers shall be paid according to regular established salary schedules. Chapter 921.

SB 946 (Grunsky; co-authored by Assemblyman Hanna). Makes teacher tenure law applicable to school districts with a.d.a. of 250 or more, rather than 850 or more. Chapter 1778. See **AB 1403**, above.

SB 1020 (Miller). Establishes standard teaching credential with specialization in junior college teaching. Specifies qualifications for such a creden-

tial, and spells out grades in which credential may be used to teach. Chapter 1787.

SB 1058 (Farr). Authorizes trustees of the California State Colleges to enter into contracts to participate in or procure or transmit television broadcasts, to purchase broadcast time, and own, lease and operate television transmitting facilities for educational, non-commercial television broadcast. Limits expenditures for this purpose to funds specifically appropriated. Chapter 2077.

SB 1152 (Miller). Revises provisions concerning powers of trustees of California State Colleges. Provides that provision for vesting trustees with general rule-making power regarding state colleges shall be liberally construed to effectuate the purposes of the Donahoe Higher Education Act. Allows trustees to delegate powers to any officer, employee or committee. Chapter 1796.

SB 1193 (Short). Provides that the fee schedule for use in child care centers for mentally retarded and physically handicapped children shall be the same as that specified by the state in other state-supported child care centers. Increases from \$462 to \$528, the basic combined income which parents may have before they are required to pay the full cost of the care of a child at any such center. Revises the method of determining the amount of apportionment of state funds, and increases the apportionment limit from 31 cents to 57 cents per hour per child. Chapter 2141.

SB 1224 (Arnold). Requires Superintendent of Public Instruction to report to the legislature at each general session on the operation, effect, and compliance with the law prescribing minimum amounts to be paid by school districts for teachers' salaries. See **AB 1786**, above. Chapter 1458.

SB 1368 (Donnelly). Requires state Board of Education to request all persons offering elementary textbooks for adoption to submit them on the basis of (a) a sale of completed textbooks to the state, and (b) a lease of plates and other materials to the state for state printing. Chapter 2144.

SB 1494 (Farr). Authorizes state Director of Finance to make services of the Department of Finance, under the State Purchasing Act, available to any tax-supported public agency in the state, including school districts, for assisting such agencies in the purchase or lease of television communications equipment. Chapter 2187.

Senate House Resolution 98 (Miller). Same as ACR 78. Adopted by the Senate on May 18, 1961.

Bad Bills

AB 526 and ACA 16 (Winton). Proposed substitution of "multiple adoption" plan for the traditional single adoption plan of selecting basic state elementary textbooks. Would have unnecessarily inflated costs of textbooks for the benefit of private publishers who refuse to lease their plates to the state for the printing of state textbooks. Passed Assembly; died in Senate committee.

AB 1772 (Bee). Contained California Teachers Association's proposal for revising and reducing the number of credentials for school teachers and other school personnel. Unlike SB 57, however, this bill did not stipulate the kind of education teachers should receive, and placed no restraints on teaching out of area of subject matter competency. Died in Assembly committee. Senate companion, SB 623 (Grunsky), was killed in Senate committee.

AB 2678 (Lanterman). Weakened enforcement provisions on use of state textbooks by teachers. Died in Senate.

ACA 10 Flournoy). Proposed a constitutional amendment eliminating the \$120 per a.d.a. basic apportionment requirement for all school districts in the constitution. Died in Assembly committee.

SB 624 (Grunsky). Created state commissioner on teacher licensure appointed by the Governor to serve in an advisory capacity to the state Board of Education on matters pertaining to the development and maintenance of a system of professional licensure, and the issuance, suspension, and revocation of certification documents. Intended as part of CTA proposal for revision of teaching credentials contained in SB 623. Pocket-vetoed by Governor.

SB 698 (Shaw). Required a \$100 per semester tuition fee for University of California students. Referred to interim committee study by Senate.

Other Bills

AB 1277 (Hanna). Revises admission requirements for junior colleges; generally requires high school graduation, but allows a district governing board to admit as provisional students to the 13th and 14th grades any person over 18 who, in the judgment of the district board or the principal of a junior college, will profit from instruction offered. Requires that persons so admitted on a provisional basis must comply with rules of the state Board of Education or Superintendent of Public Instruction regarding scholastic and other standards as a condition of readmission in any succeeding semester. Excepts certain classes of students. Chapter 1038.

AB 2013 (Coolidge). Amends state textbook law to revise provisions relating to terms of contracts under which elementary and high school books are purchased. Chapter 663.

SB 832 (Miller). Allows state allocation board to make apportionment to school districts for construction or purchase of temporary and portable school buildings. Chapter 1645.

SB 1157 (Miller). Requires trustees of California State Colleges to provide by rule for government of their appointees and employees. Requires trustees to adopt rules regarding tenure rights and benefits of academic and administrative employees on or before February 1, 1962, to become effective on July 1, 1962. Retains until July 1, 1962 tenure rights and benefits of academic employees under law in effect on June 30, 1961. Makes other related changes. Chapter 1828.

SOCIAL INSURANCE PROGRAMS

(Unemployment Insurance, Unemployment Disability Insurance and Workmen's Compensation)

The record of success achieved by the Federation at the 1961 session in securing liberalization of the state's three basic workers' social insurance programs is a story that can be told only in the context of the political climate from which the improvements were wrested. Right up to the closing days of the session, it was not known whether any substantial amount of benefit increases could be won, but when the adjournment hour came, the Federation had succeeded, with the assistance of the Governor's office, in tying down general benefit increases in unemployment insurance, workmen's compensation and unemployment disability insurance, totalling \$15 million a year.

This figure does not include the value of some \$6 million in unemployment insurance benefits

from urgency legislation enacted in February, which triggered the state's extended benefits law for the month of March, before federal action was taken and before the 1959 state extended benefits law would have normally gone into operation. Nor

does this include the millions of dollars in unemployment disability insurance benefits to be realized annually by farm workers, as a result of perhaps the greatest achievement of all in the social insurance field at the 1961 session—extension of the state disability insurance program to agricultural workers.

To understand these achievements is to recognize the many factors militating against any significant benefit increases as the 1961 session convened. Following the heavy gains won previously under the Brown Administration, the 1961 session was naturally inclined to coast on the laurels of those achievements. The preoccupation with reapportionment of Assembly and Congressional districts was understandably an additional distraction. On top of this, in the disability insurance program, the liberalizations of 1959 had been planned for financing out of excess reserves to be worked down during the interim period between the 1959 and the 1961 sessions under operating deficits which necessitated a fundamental adjustment in the financing of this social insurance program enjoyed only by workers in California and three other states. Finally, among other important factors, was the recession climate which was taking a heavy toll from the inadequately financed unemployment insurance program, and which gave employers (however unjustifiably) the ear of legislators concerned about increasing employer taxes in a recession to finance needed benefit increases in unemployment insurance and workmen's compensation.

On its side, the Federation faced an uphill battle all the way, its only weapons the logic and force of carefully reasoned and drafted programs, comprehensively developed and based on intensive and documented research. These programs were embodied in over one hundred measures introduced on the Assembly side early in the session and referred to the Assembly Committee on Finance and Insurance.

Bills Referred to Subcommittees

In March, a committee decision was made to send all of the Federation's bills to subcommittees of the parent Assembly Finance and Insurance Committee for initial consideration along with other measures on the subject. The Federation immediately pointed out that in past sessions such subcommittee referrals had served more the inter-

est of employers and insurance groups than the workingman. Cautious optimism, however, was expressed that the subcommittee referral action would not be used as in the past to deprive labor of the opportunity to be heard on the full scope of its comprehensive liberalization proposals. The Federation noted specifically that if any package proposals were to be developed, the committee should undertake to do this in open meeting as the bills were referred back to the full committee with recommendations.

In the upper house, jurisdiction over social insurance bills was placed in the Committee on Insurance and Financial Institutions, which was conservatively oriented at best. As the session advanced, it soon became apparent that this Senate unit had the potential of becoming a "roadblock" to liberalization measures sent to the upper house from the Assembly. In fact, as the Assembly subcommittees proceeded to take up the Federation-sponsored bills, the Senate committee made it known that, following initial clearance of two unemployment insurance bills on extended benefits and retraining payments, it would not take the initiative in advancing any additional benefit bills in any of the social insurance programs. Employer groups, in turn, pleading their poverty in a recession year, convinced the upper house unit that it should launch a study of the financial status of the unemployment insurance program, primarily with an eye to protecting employers enjoying reduced U.I. contribution rates under so-called "experience rating" from being forced to go to a flat contribution rate of 3 percent because of the heavy drain on the U.I. fund in the recession payment of benefits.

On the major bills of the session, therefore, the initiative was to rest with the Assembly subcommittees, which slowly began to plough through their heavy calendars. It was not until May that these committees showed any evidence of coming forth with liberalization programs. Under constant pressure from the Federation, the log-jam was finally broken in late May. In rapid succession, primarily under the guidance of Chairman Thomas Rees of the Finance and Insurance Committee, a series of measures was released from subcommittees which eventually led to the enactment of some significant advancements in unemployment insurance, workmen's compensation, and disability insurance.

Unemployment Disability Insurance

By far the most significant benefit increases in the social insurance field were in the state disability insurance program with the passage of ***AB 1663**, the precedent-setting extension of the program to farm workers, and ***AB 234**, the "omnibus" disability bill of the session.

***AB 234**, as developed in subcommittee by Chairman Rees over the opposition of private insurance carriers, and finally enacted into law, combines a \$5 increase in the maximum weekly benefit to \$70, with an annual benefit escalation clause; adjusts the financing of the program to overcome a large current operating deficit and fund future benefit increases; and enacts provisions designed to remove state plan subsidies to the so-called voluntary plans of private carriers permitted under the program.

The \$5 boost in the maximum, effective January 1, 1962, is accomplished by adding five steps to the top of the liberal benefits schedule already in the law. Thereafter, by annual computation, based on weekly wages in covered employment, the maximum will be increased automatically to assure that the top benefit is equal to two-thirds the average wages as pay scales increase.

On the financing end of the bill, the taxable wage base of \$3600 on employee contributions is increased \$500 in each of four years to \$5600 by 1965. In the interim period while the tax base is being increased to achieve a measure of operating solvency, added funds are to be made available for the payment of state disability insurance benefits by an initial transfer of some \$70 million (less amounts already requisitioned) to the disability insurance fund from worker contributions made in 1944-45 to the unemployment insurance fund.

The provisions of ***AB 234** removing subsidies to the voluntary plans include the following:

(1) Reestablishment of a provision prohibiting the Director of Employment from approving voluntary plans so long as they impose an "adverse risk" to the state plan through the selection of preferred risks by the private carriers. The director is required to consider sex, age, wage discrimination, and other relevant factors in the development of rules and regulations to carry out this mandate of the legislature.

(2) Require voluntary plan carriers to pay for

their full share of benefits charged against the state plan when an unemployed person becomes disabled and draws benefits. This is accomplished by requiring private carriers to contribute 15 percent of their tax collections to the state plan at the outset while the tax base is low, with a gradual cutback to 12 percent for 1964 and thereafter as the tax base increases.

(3) Assessment of voluntary plan carriers for the added cost of administration incurred by the state plan due to voluntary plan participation.

Under ***AB 234**, the Department of Employment estimates that, because most voluntary plan carriers will be unable to compete with the more efficient state program, voluntary plan coverage will drop from a present 29 percent to 5 percent of total coverage.

According to department estimates, the \$5 increase in the weekly maximum benefit will boost total benefit payments by about \$3 million in a claims year like 1961. (This estimate, however, does not include the value of future benefit increases under the escalator clause.) Department figures also show that some 137,000 claimants will realize benefit increases ranging from \$1 to \$5 a week. Of these, approximately 113,400 will get the full \$5 increase.

As indicated, however, these benefit increases were not obtained without a struggle on the Senate side, where the private carriers concentrated their efforts to kill this liberal piece of legislation. Release of ***AB 234** was not obtained from the Senate Committee on Insurance and Financial Institutions until the closing week of the session, and then only after the committee adopted amendments advanced by employer groups who were extremely concerned about the liberal provisions of the D.I. bill because of their precedent-serving effect on the U.I. program. The amendments adopted in Senate committee included elimination of a provision for automatic escalation of the taxable wage base after 1965, and modification of the benefits escalation clause to permit downward as well as upward movement of the maximum benefit, but not below the \$70 per week maximum provided in the bill.

By a close vote, however, the committee rejected far-reaching amendments offered by private carriers to load the measure with provisions designed to maintain their subsidized position in the state program so that they could continue to write vol-

untary plans for "preferred risks." Private carrier amendments defeated by the Federation in Senate committee included proposals to immediately increase the taxable wage base to \$4800 and allow private carriers their acquisition costs for the solicitation of voluntary plans.

Apart from ***AB 234**, it has been noted that the most significant achievement in the entire social insurance field was the passage of ***AB 1663**. Under this bill, commencing October 1, 1961, deductions will be made from farm labor wages in the same manner as from other covered workers, with benefits payable as of the first of May, 1962.

It should be noted further that the legislature approved **AB 2385**, a measure which is important to the benefit provisions of ***AB 234**. This measure, authored by Assemblyman Burton, seeks to protect the state disability insurance fund from excessive drain as the voluntary plans drop out of the disability insurance program because of the liberalization benefits of ***AB 234**. **AB 2385** was rendered potentially less effective, however, when the insurance carriers secured amendments in the Senate Committee on Insurance and Financial Institutions to push the effective date up to January 1, 1962.

Workmen's Compensation

The major benefit bill in workmen's compensation which won legislative approval was ***AB 380**, providing a \$5 increase in both the minimum and maximum weekly benefit amount for temporary disability (\$65 to \$70 for the maximum and \$20 to \$25 for the minimum). This was achieved in the closing hours of the session, when the Federation successfully amended this increase into the bill on the floor of the Senate. The original measure, prior to floor amendments, eliminated an agricultural employer exemption from the law's 50 percent penalty provision applicable to injuries involving the illegal employment of minors under sixteen years of age.

The Federation's success in obtaining this amendment on the floor followed defeat in Senate committee of the only two benefit bills on workmen's compensation released to the Senate by Assembly leaders. These included ***AB 329**, which carried the \$5 increase eventually amended on the floor into ***AB 380**, and ***AB 278**, providing for a long overdue program of rehabilitation benefits for injured workers unable to return to their former jobs.

The defeated rehabilitation proposal, although watered down from the original rehabilitation proposal advanced by the Federation, would have marked a significant advance in workmen's compensation. It is in this area of rehabilitation benefits that the California workmen's compensation program is most seriously lacking.

The \$5 increase in the minimum and maximum for temporary disability enacted into law with the passage of ***AB 380** will result in annual benefit increases estimated at about \$1.3 million per year.

Unemployment Insurance

The session's struggle to obtain a benefit increase in unemployment insurance had to overcome the determined efforts of employers to prevent the full application of their own system of "experience rating" which had milked the U.I. fund of reserves necessary to meet recession-level benefits. The rapidly deteriorating status of the U.I. fund, in turn, gave employers leverage with legislators to hold down needed benefit increases in the program.

As indicated above, the employers, taking full advantage of their friendly relationship with the Senate Insurance and Financial Institutions Committee, led off with the development of a revised financing program embodied in **SB 994**, authored by Senator Richard J. Dolwig, chairman of the Senate unit. The measure would have allowed each employer to remain at his existing contribution rate by imposing a surtax of 1.2 percent on each employer's taxable wage base. Thus, employers at the 3 percent rate would have been required to pay 4.2 percent, so that employers who have been milking the fund at a low "experience rate," for example, 3/10th percent, could continue to pay 1.5 percent.

The Federation vigorously opposed the Dolwig bill, pointing out that it represented an attempt to prevent the full operation of the very "experience rating" system which the employers themselves devised in order to avoid paying the full unemployment insurance tax imposed by the federal government in establishing the federal-state unemployment compensation program. The bill was narrowly defeated in the Senate unit.

Nevertheless, the concentration of the Senate committee on the financial aspects of the unemployment insurance programs materially influenced

the major benefit bill that eventually was developed on the Assembly side by the Finance and Insurance Committee and sent to the upper house. As embodied in *AB 1382, the Assembly committee proposal consisted of two parts:

(1) It provided for a substantial \$1 to \$8 increase in benefits within the existing \$55 per week maximum by compressing the U.I. benefit schedule and conforming it to the uniform \$25 step principle in the more liberal disability insurance program. The Department of Employment estimated that this would have increased jobless benefits in a recession year like 1961 by about \$29.5 million (\$24.8 million in 1962, assuming a major recovery from the recession).

(2) At the same time, this Assembly-drawn bill provided for a modified version of the employer financing scheme developed on the Senate side to avoid the flat 3 percent contribution rate.

Although passed on the Assembly side over the opposition of employers, it was known that employer groups would make their major effort against the measure in Senate committee where they were strongly entrenched. Accordingly, when *AB 1382 came up before the Senate, an employer spokesman representing the "California Organized Employer Community" appeared before the upper house committee and attacked both the benefit increases and the financial provisions of the bill. Release of the measure to the Senate floor was obtained only after the Senate Committee on Insurance and Financial Institutions accepted employer amendments to reduce the benefit increase and revise the financing provisions to their liking.

As passed by both houses, the benefit provisions of *AB 1382 provide for a compression of the benefits schedule within the existing \$55 per week maximum based on a uniform \$28-step schedule rather than the \$25-step compressed schedule approved by the Assembly. This produces benefit increases ranging from \$1 to \$3 for claimants falling within the limits of the benefits schedule (as contrasted with the \$1 to \$8 increase advanced initially by the lower house).

Rather than increasing total benefits in a year like 1961 by \$29.5 million, as approved by the Assembly, the bill in its final form provides for an estimated \$11.7 million increase. The Department of Employment estimates this will amount to \$9.9 million in 1962, assuming an improved job picture.

It is further estimated that 69.3 percent of new claimants will realize the increased benefit payments commencing with new claims filed on or after September 15. The average claimant, with high quarter weekly wages averaging about \$100, will realize the full \$3 increase.

*AB 1382 revises the financing provisions of the state unemployment insurance program as follows:

(1) The flat 3 percent rate which goes into operation when the fund is less than one and one-half times benefit payments is repealed.

(2) Both rated and unrated employers are required to pay a surtax of 0.5 percent on taxable wages. This 0.5 percent is outside of experience rating.

(3) For rated employers, a third schedule is added on top of the existing two schedules to yield a higher return when the ratio of benefit payments to the level of the fund falls below 5 percent. This schedule has twelve steps, with rates ranging from 3 percent at the top to 1.7 percent at the bottom. The breaking point between the operation of the existing schedules is also changed to bring in more employer contributions.

(4) The wage base for employer contributions is increased from \$3600 to \$3800.

(5) Finally, the separate tax for financing of extended benefits under the state program is abolished on earnings after the second quarter of 1961.

Among other important unemployment insurance measures, as indicated above, the legislature also enacted SB 20 which allows claimants to draw benefits from the outset of unemployment while undergoing bona fide retraining in a course approved by the Department of Employment. In 1959, such benefits were made payable only for weeks during which an unemployed worker was drawing extended benefits following exhaustion of regular benefits. SB 20 is an important measure in that it makes these benefits available as part of the basic structure.

SB 133, which provided for an emergency triggering of extended benefits for the month of March, was signed into law by Governor Brown during the last week of February. It should be noted in regard to this measure that, although it was introduced in January in the hope that the state extended duration law could be put into oper-

ation for the months of February and March, (instead of waiting for automatic "triggering" of the added benefits in April), passage was successfully delayed by employers until the end of February when federal emergency action was imminent. Nevertheless, final passage of the Shaw bill, with the active support of the Governor's office, had the effect of advancing extended duration payments one month before existing state law would have become operative, and before eventual availability of the federal jobless benefits on April 10. SB 133 provided \$6 million of additional benefits to unemployed workers in the height of the recession.

Among still other unemployment measures enacted were SB 634, making a small relaxation in the lag quarter rule, and AB 1744, modifying the seek-work requirement somewhat.

Unemployment Insurance

Good Bills

Bills marked * were sponsored by the Federation

***AB 229 (Crown).** Froze base period earnings for persons suffering disability exceeding 60 days but not more than two years in duration. Referred to interim study by Assembly committee.

***AB 492 (O'Connell).** Repealed 51-week disqualification for conviction of false statement. Died in Assembly committee.

AB 502 (Waldie). Made pregnant women eligible for unemployment insurance benefits up to end of eighth month if able to perform suitable work. Passed Assembly by a vote of 48 to 26, died in Senate committee.

***AB 664 (Hawkins).** Extended unemployment and unemployment disability insurance benefits to domestic workers. Died in Assembly committee.

***AB 900 (Munnell).** Increased from \$12 to \$20 amount which a partially employed individual may earn without reduction of his weekly benefit amount. Died in Assembly committee.

***AB 901 (Munnell).** Removed seek-work requirement. Died in Assembly committee.

***AB 902 (Munnell).** Increased weekly benefit amount by \$5 for each dependent spouse and child, not to exceed five dependents. Died in Assembly committee.

***AB 903 (Munnell).** Repealed experience rating in financing of unemployment insurance program, and imposed 3 percent contribution rate on all employers. Died in Assembly committee.

***AB 904 (Munnell).** Increased the maximum duration of benefit payments from 26 to 39 weeks, repealing also 50 percent rule on total wage-loss compensation. Died in Assembly committee.

***AB 905 (Munnell).** Increased from \$55 to \$70 the maximum weekly benefit amount in a revised, uniform \$25-step schedule. Died in Assembly committee.

***AB 907 (Munnell).** Extended coverage to all non-civil service personnel on a casual or temporary basis employed by the state or any political or civic subdivision. Died in Assembly committee.

***AB 908 (Munnell).** Removed restrictions on casual employment coverage. Died in Assembly committee.

***AB 909 (Munnell).** Included casual employment for coverage purposes. Died in Assembly committee.

***AB 910 (Munnell).** Prohibits memorandum decisions by Unemployment Insurance Appeals Board. Chapter 1181.

***AB 911 (Munnell).** Eliminates requirement that Director of Employment, prior to filing notice with Secretary of State, must deliver a copy of a proposed regulation to state Advisory Council. Chapter 1182.

***AB 912 (Munnell).** Established a single employer contribution schedule with a one percent minimum tax. Died in Assembly committee.

***AB 913 (Munnell).** Contained a technical amendment to assure a three percent flat employer tax when merit rating is suspended. Pocket-vetoed by Governor because of signing into law of ***AB 1382**, which repealed the provision in question for suspension of merit rating whenever the fund balance is less than one-and-a-half times benefit payments.

***AB 914 (Munnell).** Made person eligible for benefits while receiving holiday, vacation or severance pay after a layoff. Died in Assembly committee.

***AB 918 (Elliott).** Repealed seek-work requirement for benefit eligibility. Died in Assembly committee.

***AB 919 (Elliott).** Eliminated provisions making filing of a first claim for an extended duration benefit an election to claim such benefits for the weeks they are subsequently payable to the exclusion of regular unemployment insurance benefits. Passed Assembly without opposition. Died in Senate committee.

***AB 920 (Elliott).** Lowered from 6 to 3 percent the unemployment ratio necessary for triggering extended duration benefits under state law. Died in Assembly committee.

***AB 921 (Elliott).** Repealed disqualification following termination of employment for marital or domestic reasons. Died in Assembly committee.

***AB 922 (Elliott).** Provided that overpayment without

fault of the recipient shall not be returnable without requiring a showing that such return would be against equity and good conscience. Referred to interim study by Assembly committee.

AB 942 (Leggett). Makes it a misdemeanor to wilfully fail to withhold in trust, deductions from the remuneration paid to workers. Chapter 1183.

***AB 967 (Elliott).** Required employer appealing a benefit eligibility determination or a benefit award computation to file a \$25 deposit, returnable only if the employer appeal prevails. Referred to interim study by Assembly committee.

***AB 968 (Elliott).** Removes the limit from penalties for failure by the employer to file a report of wages for the purpose of unemployment insurance. Chapter 2161.

***AB 969 (Elliott).** Precluded consideration of employer filings concerning eligibility without employer information to overcome presumption that discharge or voluntary leaving was not for misconduct or not without good cause. Died in Assembly committee.

***AB 970 (Elliott).** Repealed so-called 75 percent rule on eligibility. Died in Assembly committee.

***AB 971 (Elliott).** Made benefits payable to an individual following misconduct discharge or voluntary quit without good cause chargeable against the employer if the position vacated is filled within five days. Died in Assembly committee.

***AB 972 (Elliott).** Repealed so-called lag quarter provision. Died in Assembly committee. See SB 634.

***AB 1091 (Unruh).** Allowed only one disqualification for benefits to be assessed as to each set of facts. Died in Assembly committee.

***AB 1092 (Unruh).** Made the presumption that an individual was not discharged for misconduct or did not voluntarily leave without good cause, in connection with last work, a conclusive presumption if the employer fails to submit the required written information sufficient to overcome the presumption within the required 5-day period. Died in Assembly committee.

***AB 1093 (Unruh).** Prohibited disqualification for a trade dispute with regard to an individual with seniority who is on layoff and is recalled less than fourteen days prior to any leaving of employment because of a trade dispute. Passed Assembly by a vote of 70 to 5. Killed in Senate committee.

***AB 1094 (Unruh).** Prohibited disqualification because of non-availability for work where cause is a flood, fire, earthquake, pestilence, tornado or other Act of God, or because of physical detention or prevention by any other person. Died in Assembly committee.

***AB 1095 (Unruh).** Made four-week mandatory disqualification for misconduct, discharge or voluntary quit

a flexible assessment by the Department within a maximum of four weeks. Passed the Assembly by a vote of 67 to 4. Killed in Senate committee.

***AB 1096 (Unruh).** Prohibited disqualification for misstatement, misrepresentation, or failure to report a material factor, unless made with intent to defraud. Died in Assembly committee.

***AB 1097 (Unruh).** Extended protection for a claimant refusing unsuitable work, etc., to cover an employment offer that is not considered "new." Passed Assembly without opposition. Killed in Senate committee.

***AB 1098 (Unruh).** Makes it a misdemeanor for an employer to fail to comply with requirements concerning the posting of employees' benefit rights and other prescribed information, or failure to supply new employees with printed information statements and materials relating to benefit claims. Chapter 2162.

***AB 1099 (Unruh).** Increases from 3 to 6 percent the interest rate payable on delinquent employer contributions. Chapter 1300.

***AB 1100 (Unruh).** Made conclusive the presumption that an individual was not discharged for misconduct or voluntary quit if the employer failed to submit the required written information sufficient to overcome the presumption within a five-day period. Died in Assembly committee.

***AB 1101 (Unruh).** Broadened the right of the claimant to refuse unsuitable work to include new work that would have been in violation of the constitution or by-laws of the claimant's union so as to subject him to a grievance or expulsion. Died in Assembly committee.

***AB 1102 (Unruh).** Limited disqualification for a trade dispute to the first four weeks after leaving work, rather than throughout the period of the dispute. Died in Assembly committee.

***AB 1103 (Unruh).** Required benefits to be paid for the one week waiting period, when the period of unemployment exceeds that week. Died in Assembly committee.

***AB 1104 (Unruh).** Requires employer's work record to show the employment status of each worker for purposes of administration of unemployment insurance. Chapter 2163.

***AB 1105 (Unruh).** Assessed a flexible penalty of 2 to 10 times a claimant's maximum weekly benefit amount against an employer's reserve account when benefits are denied because of an employer's wilful misstatement or withholding of information; provided for an additional charge of 8 times the weekly benefit amount for each successive violation. Died in Assembly committee.

***AB 1381 (Munnell).** Eliminated from definition of unemployed individuals, for benefit purposes, the pro-

vision that compensation received for any personal services, whether performed as an employee or independent contractor, shall be deemed wages; and specified that accrued holiday, vacation, dismissal or severance pay shall not be considered wages. Died in Assembly committee.

***AB 1382 (Munnell).** As amended and enacted, contains benefit increases described in the above summary; combines revision of unemployment insurance financing provisions with compression of the benefits schedule to provide benefit increases from \$1 to \$3 within the existing \$55 maximum benefit amount. In a more liberal form providing benefit increases ranging from \$1 to \$8 within the existing maximum, this bill passed Assembly by a vote of 53 to 15. Benefits were cut back in the Senate and passed without opposition. Chapter 2160.

***AB 1384 (Munnell).** Increased from \$3,600 to \$6,000 the wage base for employer contributions into the unemployment insurance fund. Died in Assembly committee.

AB 1405 (Waldie). As passed by the Assembly by a vote of 57 to 5, liberalized eligibility provisions by repealing the so-called lag quarter exclusion on wage credits. Amended in Senate to retain lag quarter provisions, but allowing inclusion of non-covered employment for purposes of eligibility determination. Killed in Senate committee as so amended.

AB 1558 (Waldie). Brings the state's extended duration benefits program into line with the federal extended benefits program, but permits claimants who are disqualified under the federal program because of receipt of pensions to receive extended benefits under the state plan. Chapter 868.

AB 1604 (Burton). Assessed an employer's reserve account in the amount of twice the benefits payable to an individual during a benefit year, in cases where the employer, in submitting information concerning termination of employment, makes a wilful false statement or representation, or wilfully fails to report material facts. Passed Assembly by a vote of 46 to 4, killed in Senate committee.

***AB 1662 (Hawkins).** Extended both unemployment insurance and disability insurance benefits to employees of nonprofit organizations. Died in Assembly committee.

***AB 1664 (Hawkins).** Extended both unemployment insurance and unemployment disability insurance benefits to state, county and municipal employees. Died in Assembly committee.

AB 1744 (Z'berg). Establishes a more realistic test to determine whether an individual is conducting proper search for employment in connection with benefit payments; prohibits a seek-work disqualification unless claimant fails to follow

specific and reasonable instructions of the local office of the Department. Chapter 2208.

AB 1811 (Hicks). Specified that if any person in any calendar year serves the waiting period required for unemployment benefits, unemployment disability benefits or workmen's compensation disability benefits, he shall be deemed to have served a waiting period for all three types of benefits for that calendar year. Passed the Assembly by a vote of 61 to 9, killed in Senate committee.

AB 2191 (Kilpatrick). Extended from 3 to 6 days the period during which a worker cannot reasonably be expected to work because of death in the family, or unlawful detention, without loss of eligibility for such week. Referred to interim study by Assembly committee.

AB 2542 (Don A. Allen). Assures that negotiated supplemental unemployment insurance benefits shall not be subject to seizure attachment. Chapter 1336.

SB 20 (Collier; co-authored by Assemblyman Petris). Introduced at the request of the Governor. As part of the basic unemployment insurance benefit structure, allows payment of benefits while undergoing retraining in a program or course approved by the Department of Employment. Chapter 38.

SB 133 (Shaw). As an urgency measure, passed late in February, triggered state extended unemployment benefits program one month earlier than it would otherwise have gone into operation; also converts the state extended benefits program from a quarterly to a monthly determination as to whether extended benefits become payable. Chapter 5.

SB 634 (Teale). Allows a claimant who would otherwise be disqualified under the "lag quarter" provision to use any benefits received under the state unemployment disability insurance program or workmen's compensation program during the test period to qualify. It is estimated that this modification of the "lag quarter" year will restore to eligibility approximately 3,000 persons formerly excluded under the "lag quarter" rule. Chapter 1462.

Bad Bills

AB 142 (Dahl). Disqualified a claimant who refused government employment because of refusal to take a loyalty oath. Killed in Assembly committee.

AB 2073 (Leggett). Where both a husband and wife are eligible for unemployment insurance benefits, provided that the total benefit payment shall be cut in half for

one person. Referred to interim study by Assembly committee.

AB 2327 (Levering). Further disqualified a person declared ineligible because of leaving employment for domestic reason until such disqualified person shall have earned \$300 as wages in covered employment as a prerequisite to establishing eligibility. Killed in Assembly committee.

AB 2329 (Levering). Provided for rendering ineligible thousands of claimants by converting the base period earnings test to a two-quarter test requiring \$300 in each of two calendar quarters in the base period. Killed in Assembly committee.

AB 2330 (Levering). Established a presumption that a quit is voluntary without good cause. Killed in Assembly committee.

AB 2331 (Levering). Converted unemployment insurance to an employee-contributory plan, imposing a one percent levy on employees' taxable earnings. Killed in Assembly committee.

AB 2719 (Winton). By an amendment to the Agriculture Code, defines growing of nursery stock as an agricultural activity for purposes of all laws, thus rendering employees so involved disqualified from unemployment insurance. Chapter 2222.

SB 994 (Dolwig). Contained employer basic proposals for revamping merit rating described in summary above. A version of these proposals was amended into *AB 1382 enacted into law. Killed in Senate committee.

SB 1366 (Miller). Gives employer opportunity to escape charge-back against his reserve account for benefit payments even though employer fails to overcome a presumption that no voluntary quit was involved. Chapter 2166.

Other Bills

AB 945 (Cameron), AB 952 (Hicks), AB 953 (Hicks), AB 960 (Cameron), AB 961 (Cameron), AB 962 (Cameron). Introduced at the request of Department of Employment, these bills contain largely technical and federal conformity amendment to the Unemployment Insurance Code. Chapters 2153, 2164, 2165, 2157, 2156, and 2158 respectively.

AB 2342 (Rees). Provides for the extension of unemployment insurance and unemployment disability insurance to employees of nonprofit organizations on an "added cost" basis. Bill is conditioned upon enactment of a federal conformity amendment. Chapter 2159.

Unemployment Disability Insurance

Good Bills

Bills marked * were sponsored by the Federation

***AB 222 (Crown).** As introduced, provided for retroactive payment of seven-day waiting period when disability extends beyond seven days, and removed waiting period altogether for disabilities caused by an accident. As amended and passed by the Assembly on a vote of 64 to 4, repealed waiting period only in the cases of accidental disability. Killed in Senate committee.

***AB 223 (Crown).** Extended disability insurance program to cover pregnancy. Died in Assembly committee.

***AB 224 (Crown).** Increased weekly benefit amount by \$5 for each but not to exceed five dependents. Died in Assembly committee.

***AB 225 (Crown).** Eliminated requirement that, where a workmen's compensation claim has been filed for the same period of disability, the disability insurance benefit award be reduced by the amount of workmen's compensation temporary disability award. Died in Assembly committee.

***AB 226 (Crown).** Increased maximum duration from 26 to 39 weeks. Died in Assembly committee.

***AB 227 (Crown).** Increased the maximum weekly benefit amount from \$65 to \$70. Provisions were incorporated into *AB 234, enacted into law. Died in Assembly committee.

***AB 228 (Crown).** Provides with regard to a Department claim for overpayment based on workmen's compensation coverage that the determinations of the Industrial Accident Commission shall bind the Department of Employment. Chapter 1837.

***AB 230 (Crown).** Increased the daily hospital benefit from \$12 to \$20. Died in Assembly committee.

***AB 231 (Crown).** Provides that even though an individual is hospitalized by the employer, if the case is not industrial in nature, the individual so hospitalized shall be entitled to unemployment disability insurance benefits. Chapter 1669.

***AB 232 (Crown).** Removed the trade dispute disqualification with regard to disability benefits. Passed the Assembly by a vote of 68 to 3. Killed in Senate committee.

***AB 233 (Crown).** Removed suspension of so-called adverse risk provisions. Bill was incorporated into *AB 234, enacted into law. Died in Assembly committee.

***AB 234 (Crown).** Contains benefit increases and other major revisions of the disability insurance program as described above in the summary. Chapter 2154.

***AB 235 (Crown).** Eliminated requirement that an employer must consent to the establishment of a so-called voluntary plan. Killed in Assembly committee.

***AB 236 (Crown).** Specified that a disqualification for wilful misstatement made to receive benefits shall arise only if the statement is made with intent to defraud. Died in Assembly committee.

***AB 237 (Crown).** Repealed provision allowing payment of hospital benefits directly to a hospital. Died in Assembly committee.

***AB 238 (Crown).** As passed by the Assembly by a vote of 57 to 12, eliminated from the provisions which prohibited the Department from recovering overpayments received without fault of recipient, language which made the prohibition operative only if recovery would be against equity and good conscience. Passed Assembly by a vote of 57 to 12. Killed in Senate committee.

***AB 310 (Crown).** Provided for an unspecified increase in the taxable wage base for employee contributions. Provision for funding of the disability insurance program were included in the major disability insurance bill of the session, ***AB 234**, enacted into law. Died in Assembly committee.

***AB 1106 (Unruh).** As passed by the Assembly without opposition, authorized the "freezing" and reestablishment of unexpired benefit rights by an individual, following an industrial disability with a duration of at least 60 days, but not more than two years. Killed in Senate committee.

***AB 1663 (Hawkins).** As introduced, extended both unemployment insurance and unemployment disability insurance benefits to farm workers. As amended and enacted, extends disability insurance coverage to farm workers. Chapter 2155.

AB 2385 (Burton). As passed by the Assembly, effective September 15, would have prohibited voluntary plans from dropping out after collecting the maximum contribution and leaving the benefit obligations to the state fund. As amended in Senate and passed, the effective date is pushed up to January 1, 1962, thus weakening considerably the protections for the state fund. Chapter 1905.

Bad Bills

AB 1323 (Levering). Repealed altogether protection of state disability fund from "adverse risk" selections by voluntary plans. Killed in Assembly committee.

AB 1324 (Levering). Shifted considerable portion of unemployment insurance benefit load onto unemployment disability insurance. Died in Assembly committee.

AB 1325 (Levering). Limited total unemployment disability benefit payments to one-half of base period wages, as in unemployment insurance law. Died in Assembly committee.

AB 1499 (Reagan). Reduced disability benefit by amount received under federal social security. Died in Assembly committee.

AB 1500 (Reagan). Conformed eligibility provisions of disability program to unemployment insurance program by increasing from \$300 to \$600 the base period earnings requirement and imposing a so-called 75 percent rule for earnings concentrated in a high quarter. Died in Assembly committee.

AB 2328 (Levering). Removed authority of Director of Employment to requisition for disability insurance so-called "also available" funds on deposit in unemployment insurance fund based on worker contributions for 1944-45. Died in Assembly committee.

SB 1191 (Byrne). Repealed provisions for payment of benefits for disabilities commencing after a person is unemployed. Died in Senate committee.

SB 1519 (Grunsky). Completely revamped state unemployment disability insurance law, in effect, turning the program over to private insurance carriers under a program patterned after the inferior New York disability insurance program. Died in Senate committee.

Other Bills

AB 992 (Rees). Introduced at the request of the Department of Employment, revises investment provisions regarding state unemployment disability insurance fund. Chapter 1688.

AB 993 (Rees). Introduced at the request of the Department of Employment, extends for two years the authority of the Department to approve amendments to voluntary plans for purposes of adjustment of voluntary plan provisions to meet general requirements for the approval of voluntary plans. Chapter 1849.

AB 3142 (Rees). Provides that no benefit computation need be made under a voluntary plan if the uninterrupted period of disability does not exceed the one-week waiting period prescribed by law. Chapter 1760.

Workmen's Compensation

Good Bills

***AB 274 (Waldie).** Increased from 10 to 50 percent, penalty for unreasonable delay or refusal to pay compensation. Died in Assembly committee.

***AB 275 (Waldie).** Extended full coverage to household domestic service workers. Died in Assembly committee.

***AB 276 (Waldie).** Repealed dollar ceiling on penalties for injuries due to serious and wilful misconduct. Died in Assembly committee.

***AB 277 (Waldie).** Required workmen's compensation premium rates set by Insurance Commissioner to be based on state compensation insurance fund experience. Died in Assembly committee.

***AB 278 (Waldie).** As introduced, provided for rehabilitation benefits in addition to other benefits for an injured employee unable to return to work he was performing at the time he incurred the injury. As amended and passed by the Assembly on vote of 41 to 26, bill was completely rewritten to provide rehabilitation benefits with indemnity payments while undergoing retraining, but without permanent disability payments beyond ten weeks after a successful rehabilitation. Died in Senate committee. (Senate companion to original bill, ***SB 179 (Regan)**, died in Senate committee.)

***AB 279 (Waldie).** Required semi-annual reports to Industrial Accident Commission on workmen's compensation payments made, together with the manner and time of payments and the date of termination. Died in Assembly committee.

***AB 319 (Waldie).** Required payment of seven percent interest on late payments. Died in Assembly committee.

***AB 320 (Waldie).** Provided for ten percent allocation out of workmen's compensation premiums for financing rehabilitation benefits proposed in original version of ***AB 278**. Died in Assembly committee. (Senate companion, ***SB 173 (Regan)**, died in Senate committee.)

***AB 321 (Waldie).** Provided for retroactive payment of seven-day waiting period when disability extends beyond such seven days. Died in Assembly committee. (Senate companion, ***SB 170 (Regan)**, died in Senate committee.)

***AB 322 (Waldie).** Permitted an injured employee to institute proceedings for medical, surgical and hospital benefits at any time after the date of injury and during his lifetime. Granted I.A.C. continuing jurisdiction for such purposes. Died in Assembly committee.

***AB 323 (Waldie).** Provided that total temporary disability payments for one injury shall not extend beyond 520 compensable weeks, rather than 240 compensable weeks within a period of 5 years. Died in Assembly committee.

***AB 324 (Waldie).** Provided for payment of injured worker's attorney's fees by employer or the insurer when an award is recovered by an injured employee or the employee's dependent. Died in Assembly committee. (Senate companion, ***SB 176 (Regan)**, died in Senate committee.)

***AB 325 (Waldie).** Converted death benefits to a death pension payable at temporary disability rate until death or remarriage, with a 25 percent increase for dependent children. Died in Assembly committee. (Senate companion, ***SB 178 (Regan)**, died in Senate committee.)

***AB 326 (Waldie).** As introduced, increased burial payment from \$600 to \$750. As amended in the Assembly and passed by a vote of 51 to 17, provided for an increase

to \$700. Died in Senate committee. (Senate companion to original bill, ***SB 177 (Regan)**, died in Senate committee.)

***AB 327 (Waldie).** Increased weekly benefit amount by \$5 for a spouse and \$5 for each additional dependent up to a total of five additional dependents. Died in Assembly committee. (Senate companion, ***SB 174 (Regan)**, died in Senate committee.)

***AB 328 (Waldie).** Established a conclusive presumption that temporary disability continues for one week after filing of a petition alleging disability has decreased or terminated. Died in Assembly committee.

***AB 329 (Waldie).** As introduced, repealed ceiling on maximum weekly benefit for both permanent and temporary disabilities for benefit payments up to \$150 a week. As amended and passed by the Assembly, increased the minimum benefit for temporary disability from \$20 to \$25 and the maximum benefit from \$70 to \$75. As so amended, passed the Assembly by a vote of 59 to 6. Killed in Senate committee. (Senate companion to original bill, ***SB 172 (Regan)**, died in Senate committee.) See ***AB 380**.

***AB 330 (Waldie).** For purposes of benefit computation, established presumption on average weekly earnings in absence of a written contract to assure 40-hour work week computation. Died in Assembly committee.

***AB 331 (Waldie).** Provided for full freedom of choice of doctor. Died in Assembly committee. (Senate companion, ***SB 175 (Regan)**, died in Senate committee.)

***AB 333 (Waldie).** Reduces from 14 to 12 the number of days permitted a carrier to provide a change of physicians upon request. Original bill provided a reduction from 14 to 7 days before amendment in the Assembly and passage. Chapter 1670. (Senate companion to original bill, ***SB 169 (Regan)**, died in Senate committee.)

***AB 334 (Waldie).** Required servicing of medical reports within a specified period. Died in Assembly committee.

***AB 335 (Waldie).** Included safety engineer of an employer within provision for increased compensation in serious and willful misconduct cases on part of employer. Died in Assembly committee.

***AB 375 (Waldie).** Extended statute of limitations to ten years with regard to initiating compensation proceedings or redetermining awards. Died in Assembly committee.

***AB 376 (Waldie).** Increased life pension in permanent disability cases to provide compensation rate commensurate with permanent disability incurred for disabilities of 50 percent or more; doubled duration of compensation at 65 percent of lost wages prior to commencement of permanent disability pension. Died in Assembly committee.

***AB 377 (Waldie).** Same as ***AB 376**, but also increased

the rate of the compensation from 65 percent to 75 percent of lost wages. Died in Assembly committee.

***AB 378 (Waldie).** When an employer's petition to reduce an award based upon a final permanent disability award is denied, provided for payment by employer of reasonable attorney's fees for the injured employee. Passed Assembly by a vote of 68 to 2. Killed in Senate committee. (Senate companion, ***SB 171 (Regan)**, died in Senate committee.)

***AB 380 (Waldie).** As introduced and passed by the Assembly by a vote of 61 to 9, repealed exemption of agricultural employers from 50 percent penalty provision for unlawful employment of injured minor under 16 years of age. Following defeat of ***AB 329** in Senate committee, bill was successfully amended on the Senate floor to provide also for an increase from \$20 to \$25 in the minimum weekly benefit for temporary disabilities and from \$70 to \$75 in the maximum weekly benefit. Chapter 1621.

***AB 381 (Waldie).** As introduced, repealed prohibition against I.A.C. commuting compensation payments from subsequent injuries fund to a lump sum. As amended and passed without opposition in the Assembly, provided that upon consent of the Department of Finance, a subsequent injury benefit payment may be commuted under the otherwise applicable procedures of the I.A.C.; specifically provided, however, that none of the life pension payments might be commuted. Killed in Senate committee.

***AB 382 (Waldie).** Provided that the rate of wage-loss compensation in cases of temporary disability shall be 75 percent rather than 65 percent. Died in Assembly committee.

***AB 383 (Waldie).** Required notice to I.A.C. of denial of benefits. Also required commission review of each notice, and, after notice and opportunity to be heard given to the parties in interest, authorized the commission to order benefits to be furnished or resumed. Died in Assembly committee.

***AB 1862 (Waldie).** Established an uninsured employers fund for benefit payments out of benefits left by deceased workmen who would have had amounts due to them at the time of death except there was no eligible heirs to whom the funds could go. Passed Assembly without opposition, killed in Senate committee.

ACA 72 (Unruh). Proposes constitutional amendment giving the legislature the power to provide for payment of an award to the state in industrial death cases where there is no dependent, and that the award may be used to pay extra compensation to employees for subsequent injuries. Filed with Secretary of State. Chapter 259.

Bad Bills

AB 1287 (Thelin). All but eliminated heart attack as a compensable industrial injury. Referred to interim study by Assembly committee.

AB 1288 (Thelin). Permitted exclusions of pre-existing conditions by agreement between employer and employee. Referred to interim study by Assembly committee.

AB 1378 (Levering). Prohibited consideration of occupation and age of injured employee as factors in determination of permanent disability rating. Died in Assembly committee.

AB 1933 (Lanterman). Completely removed liability of an employer in cases where injury or death is wholly or partially caused by epilepsy. Died in Assembly committee.

AB 2116 (Levering). Supplied severe restrictions to commutation of awards in regard to permanent disability ratings predicated in whole or in part on subjective complaint. Died in Assembly committee.

AB 2844 (Bagley). Required that I.A.C. member shall have qualifications required of a judge of the Superior Court. Referred to interim study by Assembly committee.

AB 3118 (Rees). Provided for waiver of benefit provisions by employees regarding pre-existing diseases or impairments. Passed Assembly by a vote of 64 to 5. Killed in Senate committee.

SB 580 (Dolwig). Prohibited consideration of subjective symptoms in determination of permanent disability ratings. Died in Senate committee.

SB 647 (Grunsky). Repealed provisions for liberal construction of workmen's compensation law. Died in Senate committee.

Other Bills

AB 309 (Kilpatrick). Provides workmen's compensation for boy committed to forestry camp when engaged in fire fighting or fire prevention work. Chapter 334.

AB 951 (Hicks). Amends, adds and repeals various sections of Insurance Code relating to the payment of workmen's compensation in the event of insurer's insolvency. Chapter 1685.

AB 1347 (Hanna). Established conditions under which a party to a release or compromise agreement may withdraw therefrom prior to an order of the I.A.C. approving the release or compromise. Pocket-vetoed by the Governor.

AB 1348 (Hanna). Makes non-compensable, injuries arising out of an altercation in which the injured employee is the initial physical aggressor. Chapter 2170.

AB 1379 (Levering). Provides that a request filed with the I.A.C. to change rules or regulations shall be deemed denied if not set for hearing within six months. Chapter 2217.

AB 1408 (Waldie). Authorizes state compensation fund to insure employers against liability for compensation or damages under all federal maritime laws when written incidental to and in connection with California workmen's compensation, in addition to U.S. Longshoremen's and Harbor Workers' Compensation Act. Chapter 1305.

AB 1511 (Cologne). Provides, with respect to the term "casual" as used in workmen's compensation, that the amount of total labor cost used to determine whether or not work done is "casual" shall not include charges other than for personal services. Chapter 1560.

AB 1597 (Leggett). Provided that parties to I.A.C. hearings shall have the right to one pre-emptory challenge of the referee. Pocket-vetoed by the Governor.

AB 1659 (House). Provided workmen's compensation for housing commissioners. Pocket-vetoed by Governor.

AB 1690 (Bagley). Revised appointment procedures for members of I.A.C. Pocket-vetoed by Governor.

AB 1820 (Bagley). Provided that a petition may be filed by a party in interest to reopen any order or award of the I.A.C. at any time within 250 weeks of the date of injury. Pocket-vetoed by Governor.

AB 1985 (Knox). Provided rebuttable presumption that respiratory ailment of fireman is an injury arising in the course of employment. Passed the Assembly. Referred to interim study by Senate committee.

AB 2016 (Nisbet). Provides that volunteer policemen, irrespective of remuneration, should receive benefits based on the maximum weekly earnings. Chapter 1581.

AB 2295 (Burton). Changes statute of limitations for commencement of workmen's compensation

proceedings from one year from date of death where the date is more than one year after date of injury and benefits have been furnished, to one year from date of death when death occurs more than one year after date of injury and benefits have been furnished. Chapter 1588.

SB 27 (Teale). Provides workmen's compensation for volunteer unsalaried member of sheriff's reserve under specified conditions. Chapter 901.

SB 131 (Thompson). Raises from \$12 to \$40 the assumed average weekly earnings of partners for purposes of computing workmen's compensation. Chapter 903.

SB 441 (Cobey). Makes active members of reserve fish and game warden program, employees of Department of Fish and Game for purposes of workmen's compensation coverage. Chapter 1394.

SB 483 (Rattigan). Extends to civil service employees of Bureaus of Narcotics Enforcement and Criminal Identification and Investigation having peace officer status and employed regularly, workmen's compensation provisions relating to heart trouble, hernia and tuberculosis. Provides there is a disputable presumption that these conditions arose from employment in bureaus and that these conditions shall not be attributed to prior diseases. Chapter 619.

SB 850 (Gibson). Provides that notice of I.A.C.'s quarterly meetings shall be published prior to meetings, that meetings of the full commission, except when a decision is being made, shall be open to the public, and that written notice of all meetings of the full commission shall be given to persons who request the same in writing. Pocket-vetoed by Governor.

SB 1045 (McAteer). Provided conclusive presumption that heart trouble has arisen out of employment with regard to fire fighters and law enforcement employees having served ten or more years. Pocket-vetoed by Governor.

SOCIAL WELFARE

One of the impressive performances of the 1961 session was in the field of social welfare legislation. The breadth and scope, the quantity and quality of liberalization legislation enacted in the categorical aid programs is without precedent in the recent history of the legislature.

With the strong backing of the Governor's office, major breakthroughs were scored in areas long advocated by organized labor and other liberal groups, including: removal of citizenship requirements in the old age assistance and needy disabled programs; substantial liberalization of the "relatives' responsibility" requirement in the old age assist-

ance law and complete repeal of this antiquated provision in the needy disabled and blind assist-

ance programs; establishment of annual cost of living adjustment factors in the aged assistance and blind laws; and liberalization of property qualifications regarding home ownership in the categorical aid programs.

These major advancements were in addition to substantial increases won in monthly grants and the passage of other measures improving the overall quality of California's social welfare programs. The true scope of the session's accomplishment can only be realized by reading the summary digests of bills printed below under the classification of "good".

The legislature also deserves credit for blocking the worst of many bills inspired by misguided county officials who would penalize and deny aid to needy children because of the frailties and indiscretions of parents. A flock of bills originating largely from a Senate interim committee and generally aimed at destroying the liberal base of the state's aid to needy children program were introduced. While the most severe of these bills were killed outright, a number of them listed below under the classification of "other bills" were amended in the legislative process to remove virtually all of the provisions disruptive of the ANC program.

It should also be noted that the legislature approved a new state program to provide medical care for "medical indigents" who are not on public assistance. This program takes advantage of federal funds which were made available by Congress when it approved in 1960 the public assistance approach to medical care in lieu of the labor-supported social security medical care bill. Although the program is far from adequate in terms of meeting the medical needs of the aged with dignity, it represents the determination of the present Administration in Sacramento to utilize all the tools now available to meet these needs as the drive for a social insurance bill continues. On this basis, labor supported the enactment of this new public assistance program in the medical care field, supplementing the public assistance medical care program available to those who are recipients of assistance in the categorical aid programs.

(See also sections on HOUSING and CIVIL RIGHTS AND CIVIL LIBERTIES for measures enacted to provide low rent housing for the aged

and to make discrimination against older workers unlawful.)

Good Bills

AB 5 (Burton). Removes citizenship requirement for old age assistance and aid to the needy disabled. Chapter 1970.

AB 169 (Hawkins). Prohibits any interference with the right of persons receiving aged, blind and disabled aid to join or refrain from joining an organization of the aged, blind or disabled. Chapter 1467.

AB 268 (Kennick; co-authored by Senator Hollister). Increases from \$95 to \$100 the basic grant for old age assistance. Beginning January 1, 1963, provides for annual cost of living adjustments in both the basic grant and special needs allowances for aged assistance recipients. Requires state Social Welfare Board to establish standards of assistance to determine the needs of aged persons and the amount of assistance to which they are entitled. Chapter 1228.

AB 269 (Kennick; co-authored by Senator Hollister). Increases the basic grant for recipients of aid to the needy blind and potentially self-supporting blind from \$104 to \$115 a month. Provides also that both the basic aid and special needs grants to the blind shall be adjusted annually for cost of living increases, commencing January 1, 1962. Chapter 1229.

AB 272 (Elliott; co-authored by Senator Robert D. Williams). Liberalizes eligibility requirement for aid to the needy disabled by eliminating the requirement that a recipient be bedfast or chairbound or in need of continuous physical assistance, and by extending the program to the needy disabled suffering from psychosis. Eliminates language in the law requiring that the terms of this program be strictly construed. Specifically declares that the purpose of the program is to encourage recipients to make greater efforts to achieve self-care and to enlarge their opportunities for independence. Chapter 1416.

AB 273 (Elliott; co-authored by Senator Robert D. Williams). Increases the maximum monthly grant of aid to the needy disabled from \$98 to \$100; permits supplemental grants to recipients for special services, as well as for services of full-time or part-time attendant. Chapter 1468.

AB 338 (Unruh). Substantially liberalizes the relatives' responsibility provisions of the old age assistance program; both increases the amount of exempt income and lowers the amount of contribution required at given net monthly income levels after the allowance of the increased exemption. Chapter 1994.

AB 519 (Burton; co-authored by Senator O'Sullivan). Increases the "special needs" maximum by \$50 a month, from \$115 to \$165, for recipients of old age assistance. Also liberalizes provisions for voluntary contributions or grants from other public sources, private agencies or friends or relatives for recipients with special needs. Chapter 1230.

AB 658 (Gaffney; co-authored by Senator O'Sullivan). Provides for a \$50 per month increase in the "special needs" allowance for the needy blind and the potentially self-supporting blind, the same as provided for the recipients of aged assistance under AB 519 above. Chapter 1231.

AB 729 (Burton). Completely eliminates relatives' responsibility requirements in aid to needy blind law. Chapter 1996.

AB 730 (Burton). Completely eliminates relatives' responsibility requirements in aid to the potentially self-supporting blind law. Chapter 1995.

AB 1066 (Kilpatrick). Increases contributions to the public assistance medical care fund by varying amounts for various categorical aid programs as follows: from \$13.50 to \$15 per month per aged assistance recipient; from \$7 to \$15 per month per blind aid recipient; and from \$6 to \$15 per month per recipient of aid to the needy disabled. Chapter 1690.

AB 1213 (Hawkins). Provided that the cost of county hospitalization shall not constitute a lien against the real property of a recipient of old age assistance. Passed the Assembly by a vote of 43 to 30, but died in Senate committee.

AB 1252 (Bee; co-authored by Senator Cobey). Establishes a Governor's Social Welfare Study Commission, prescribing its membership, powers and functions. Appropriates \$50,000 for support of the commission in fiscal year 1961-62. Chapter 2045.

AB 1602 (Burton). Provided for implementation of new federal program providing aid for needy children whose parents are unemployed. Referred to interim study by Assembly.

AB 1670 (Bee). Authorizes state payments to counties to finance county demonstration projects under criteria established by the state Social Welfare Board for the purpose of improving the administration of public assistance by restorative and preventive measures and by expanding protective services for children and adults. Chapter 1567.

AB 1808 (Burton). Revises and restates the property qualifications for recipients of old age assistance, aid to the needy blind, and aid to the needy disabled by removing any limitation on the value of a home a recipient may own. Makes this liberalized property provision applicable to persons receiving aid under the medical care program for elderly persons who are not public recipients of old age assistance as established in SB 325. Provides also that if the U.S. Department of Health, Education and Welfare issues a formal ruling that any provision of the state Social Welfare Code relating to public assistance cannot be given effect without causing the state's plan to be out of conformity with federal requirements, such provisions out of conformity shall cease to be operative to the extent they are out of conformity. Chapter 1971.

AB 2017 (Burton). Consolidates and makes applicable to all public assistance programs policy provisions relating to liberal interpretation of the laws which are now applicable only to one or more of the public assistance programs. Chapter 1883.

AB 2277 (Elliott). Provides that where a public assistance recipient is disqualified because he has left the state, he shall again be deemed to have satisfied the residence requirement if he returns within one year after leaving, in which case aid shall be granted him as of the first day of the month following his application if he is otherwise eligible. Chapter 1968.

AB 2780 (Burton). In a liberal vein, specified responsibilities for parents of children receiving aid to needy children, and designated information which must be provided by the parent remaining with the child at the time of application and after. Refused passage on the Assembly floor by a vote of 20 to 34.

AB 2955 (Don A. Allen). Provided for administration of the aid to needy children, aged, needy blind, partially self-supporting blind, needy disabled and medical care programs by the state Department of Social Welfare rather than by the counties. Referred to interim study by Assembly committee.

ACA 29 (Hawkins). Proposed constitutional amendment to provide that the cost of hospitalization furnished

by a county to a recipient of old age assistance, aid to the blind, or aid to the disabled shall not constitute a lien on real property owned by such recipient. Died on Assembly floor.

SB 134 (Richards; co-authored by Assemblyman O'Connell). Senate companion to AB 338, substantially liberalizing the relatives' responsibility provisions of the old age assistance program. Chapter 1997.

SB 135 (Richards; co-authored by Assemblyman O'Connell). Completely repeals the relatives' responsibility provisions of the aid to the needy disabled law, and prohibits, for the first time, the counties from imposing financial liability on responsible relatives for medical care or other aid expended while a person is a recipient of aid to the needy disabled. Chapter 1998.

SB 136 (Richards; co-authored by Assemblyman O'Connell). Senate companion to AB 729 and AB 730, completely repealing the relatives' responsibility requirements in the aid to the needy blind and potentially self-supporting blind programs, and prohibiting, for the first time, counties from imposing financial liability on responsible relatives for medical care or other aid extended while a person is an aged or blind recipient. Chapter 1999.

SB 165 (Collier; co-authored by Assemblyman Burton). Senate companion to AB 268, increasing the basic grants for old age assistance recipients from \$95 to \$100 per month with provision for annual cost of living increases. Chapter 1226.

SB 325 (Rattigan; co-authored by Assemblyman Williamson). Designated as the Rattigan-Burton Act, establishes a new medical aid to the aged (M.A.A.) program, implementing and taking advantage of the availability of federal funds provided under the Kerr-Mills bill, adopted by Congress in 1960 in lieu of the social security approach to medical care for the aged. This category of medical aid to the aged is not to be confused with the public assistance medical care (P.A.M.C.) program for those receiving public assistance. The Rattigan-Burton Act provides hospital care after 30 days, and long-term nursing home care to aged persons of limited means, not receiving old age assistance. (This bill is listed as "good" because it utilizes the federal funds made available in this public assistance approach to medical care for the aged. Enactment of the program by no means eliminates the

need for the establishment of medical care benefits under federal social security.) Chapter 1227.

SB 377 (Geddes). Requires state Social Welfare Board, in setting maximum allowance for shelter, to take into account the cost of shelter in low rent housing developments for the elderly financed in whole or in part with federal or state funds, or by means of loans insured in whole or in part by federal or state government. Declares specifically that it is state policy to encourage the development and retention of safe and healthful low rent housing for the elderly which is specially designed to meet housing needs of the aged, and provides that shelter standards set by the state Social Welfare Board shall be consistent with this general objective insofar as practical. Chapter 910.

SB 568 (Farr; co-authored by Assemblyman Pattee). Substantially increases aid allowed for needy children; provides also for payment of an additional \$5 per child above \$379 allowed for families with 9 dependent children. Chapter 1396.

SB 976 (Cobey). Requires, in cases of disputes involving aid to needy children, that documents pertaining to an applicant or recipient on file with the Department of Welfare be open to inspection of the recipient or applicant and his attorney or agent. Chapter 2106.

SB 1003 (Arnold). Allowed the spouse of a recipient of old age assistance to earn up to \$200 per month without considering the earnings of the spouse community property. Pocket-vetoed by the Governor.

SB 1352 (Rattigan). Describes functions of the Citizens Advisory Committee on Aging previously established by law as: to study problems of the aged, consult with communities in development of programs for needs of senior citizens, assist state agencies, act as a clearing house and information center on all aspects of the aging. Requires the commission to submit an annual report to the Governor. Chapter 1810.

SJR 27 (Cobey). Urges Congress to amend the Social Security Act to permit the payment of federal aid for dependent children confined in boarding homes or foster homes. Filed with Secretary of State. Chapter 115.

Bad Bills

AB 2034 (Bradley). Placed absolute limits on amount of annual state expenditures in the categorical aid programs. Died in Assembly committee.

SB 653 (J. Howard Williams). Applied felony penalty to violations of the law on aid to needy children benefit payments. Passed Senate without opposition. Killed in Assembly committee.

SB 654 (J. Howard Williams). Denied needy children aid for six months when a parent is convicted of unlawful receipt of such aid. Died in Senate committee.

SB 655 (J. Howard Williams). Denied aid for six months to a needy child in cases where a child has been deprived of parental support because of separation or desertion, annulment or divorce. Died in Senate committee.

SB 801 (J. Howard Williams). Placed ceiling on grants for aid to needy children, regardless of the number of children in a family, by prohibiting any total family grant which exceeds the average industrial wage paid in the state. Died in Senate committee.

SB 974 (Cobey). Prohibited aid to needy children law from being liberally construed. Passed Senate without opposition. Killed in Assembly committee.

Other Bills

SB 969 (Cobey). Declares that those engaged in the administration of the aid to needy children program are responsible to the community for its effective, humane and economical administration. Chapter 2102.

SB 972 (Cobey). Provides in regard to aid to needy children program that case workers' services shall be made available immediately upon filing an application. Chapter 2103.

SB 975 (Cobey). Extends responsibility of a stepfather to support his wife's needy children to any adult male person assuming the role of spouse to the mother, although not legally married to her. Chapter 2105.

SB 977 (Cobey). Exempts from consideration in computing the amount of an ANC grant, 50 percent of earnings of the needy child under 18 years of age. Takes effect upon amendment of federal statutes and regulations to so permit the amendment. Also requires the state Social Welfare Board to establish regulations necessary for the state to qualify for federal funds for needy children in institutions when federal statutes permit federal funds to be used for such purposes. Chapter 1781.

SB 980 (Cobey). Requires each county to administer aid to needy children to reduce dependency and to promote rehabilitation of recipients, and to require county welfare departments to discuss parental responsibility with the applicant at the time of application. Chapter 1782.

SB 981 (Cobey). Permits counties to require written statements made subsequent to an application for aid to needy children to be verified or signed under oath. Provides that the person signing such a statement who wilfully and knowingly, with intent to deceive, states therein as true any material which he knows to be false is subject to penalties prescribed for perjury. Chapter 2107.

SB 982 (Cobey). Requires the state Social Welfare Board to establish a scale of suggested minimum contributions for absent parents of children under the aid to needy children program for distribution and local use. Expressly states, however, that use of the scale is optional. Chapter 1783.

SB 983 (Cobey). Requires a county to determine eligibility for aid to needy children annually. Requires the county at the time of redetermination, and permits county at other intervals, to require a family to complete a certificate of eligibility containing a written declaration of specified information. Makes wilful false statements of material a matter of misdemeanor. Chapter 2108.

SB 984 (Cobey). Provides that a parent whose absence is the basis upon which an application is filed for aid to needy children shall be required to complete a statement containing information that is pertinent to determine his ability to support the child, including interim statements, the number of dependents for whom he is providing support, amount he is contributing regularly toward support of all children, and his current monthly living expenses. Makes it a misdemeanor to violate this requirement. Chapter 2109.

SB 985 (Cobey). Specifies what constitutes violations of aid to needy children law and prescribes penalties therefor. Defines the functions of the district attorney in connection with enforcement of parental responsibility under the law and with respect to prosecution for violations of the law. Chapter 1784.

SJR 23 (Cobey). Requests the U.S. Department of Health, Education and Welfare to modify federal regulations to permit states to conduct research projects, relating to aid to dependent children, in selected areas of the state. Filed with the Secretary of State. Chapter 111.

SJR 24 (Cobey). Urges Congress to appropriate funds to be used by the states for research projects in connection with the aid to dependent children

program. Filed with the Secretary of State. Chapter 112.

SJR 25 (Cobey). Urges Congress to permit a county or state to deduct the cost incurred by the law enforcement agency in recovering aid from the amount returnable to the federal government under the aid to dependent children program. Filed with Secretary of State. Chapter 113.

SJR 26 (Cobey). Urges Congress to enact legislation exempting 50 percent of earnings of employed youth from deduction from ANC grants. Filed with Secretary of State. Chapter 114.

SJR 28 (Cobey). Requests Congress to permit federal financial participation in aid grants in kind in mismanagement cases under aid to dependent children program. Filed with Secretary of State. Chapter 116.

STATE & LOCAL GOVERNMENT

Good Bills

Bills marked * were sponsored by the Federation

***AB 548 (Kennick).** Required public agencies to give preference to California-made goods if price does not exceed by 10 percent, rather than 5 percent, the lowest bids for non-California-made products. Refused passage on Assembly floor.

AB 2358 (Belotti). Provided preference for California woods in contracts let for public works. Referred to interim committee study by Assembly.

SB 115 (Gibson). Adds a public member to various licensing boards in the Department of Professional and Vocational Standards. Chapter 1821.

SB 813 (Holmdahl). Established a policy on the responsibility of the state to foster and promote full employment with maximum production and purchasing power. Died in Senate committee.

SB 882 (Holmdahl). As introduced, required that Governor submit annually an economic report to the legislature setting forth a review and analysis of various economic factors affecting the state and a program for carrying out the policy of full employment set forth in SB 813. Measure was amended to insert the contents of SB 813 and referred to interim committee study by Senate.

SB 1057 (Holmdahl). Created an economic advisory committee to the Governor and legislature to study economic factors relative to full employment and economic conditions of the state, and to formulate and recommend economic policy. Referred to interim committee study, with SB 882, by Senate.

SCR 17 (Christensen). Requests state and local public agencies to assist in reducing unemployment in the lumber industry by using California hardwood and lumber products on all public works projects. Filed with Secretary of State. Chapter 71.

Bad Bills

AB 633 (Rees). Seriously weakened preference for American-made materials in public purchases. Died in Assembly committee.

AB 1397 (Bradley). Abolished Office of Consumer Counsel established by the 1959 legislature. Died in Assembly committee.

AB 1398 (Bradley). Abolished the Economic Development Agency established by the 1959 legislature. Died in Assembly committee.

AB 2793 (DeLotto; co-authored by Senator Burns). Provides for the creation of Fresno Metropolitan Transit District. Organizational and collective bargaining rights for employees of the district were removed from the bill in conference committee. Chapter 1932.

Other Bills

AB 267 (Rees). Provided for the formation of metropolitan area multi-purpose districts. Died in Assembly committee.

AB 1510 (Marks). Establishes Commission on California State Government Organization and Economy to assist the legislature and Governor in devising means of promoting efficiency and economy in state government. Chapter 2038.

AB 1593 (Winton). Creates in state government the following agencies: Health and Welfare Agency, consisting of Departments of Social Welfare, Mental Hygiene and Public Health; Youth and Adult Corrections Agency, consisting of Departments of Corrections and Youth Authority; Resources Agency, consisting of Departments of Conservation, Fish and Game, Parks and Recreation, and Water Resources, as well as State Water Rights Board, State Water Pollution Control Board and each regional water pollution control board. Places each agency under supervision of administrator appointed by Governor. Gives administrator power of general supervision over each department or unit within agency. Requires administrator to develop and report to Governor on legislative, budgetary, and administrative programs for his agency. Abolishes Department of Natural Resources. Creates Department of Parks and Recrea-

tion to succeed to functions of Department of Natural Resources exercised through its Divisions of Beaches and Parks, Small Craft Harbors, and Recreation. Creates Department of Conservation to succeed to functions of Department of Natural Resources exercised through its Division of Forestry, Mines, and Geology, Oil and Gas, and Soil Conservation. Revises membership of Board of Corrections. Chapter 2037.

AB 1615 (Winton; co-authored by Senator Cobey). Creates in the Department of Finance the Office of Administrative Procedure under the direction and control of an executive officer called Presiding Officer, and abolishes the Division of Administrative Procedure in the Department of Professional and Vocational Standards. Chapter 2048.

AB 1700 (Bagley). Extends daylight saving time one month. Requires approval of voters. Chapter 759.

AB 1880 (Unruh). Abolishes the state printing fund and purchasing revolving fund and creates a service revolving fund to replace the funds abolished. Provides that the money heretofore required to be deposited into and expended from the funds abolished shall be deposited in the service revolving fund. Chapter 875.

AB 2728 (Rees). Provided for the formation of multi-purpose districts. Referred to interim committee study by Assembly.

AB 2959 (Waldie). Provided for establishment of a Golden Gate transportation commission. Died in Senate committee.

ACA 14 (Busterud). Permits the legislature to propose revisions of all or part of the Constitution in the same manner as amendments to the Constitution. Chapter 222.

ACA 21 (Schrade). Permits bills at legislative sessions to be heard within 20 days, instead of 30 days, after introduction. Authorizes legislature to take a recess not to exceed 10 calendar days in duration, during a general session, and exempts such recess from consideration in computing the limitation of the duration of the session. Chapter 218.

SB 447 (Teale; co-authored by Assemblyman DeLotto). Creates Division of Aeronautics in the State Department of Public Works in charge of a chief as successor to the California Aeronautics Commission; transfers to the new division all functions, powers, property, unencumbered funds, and civil service employees of the commission. Chapter 2071.

SB 699 (Collier). Creates a Highway Transportation Agency consisting of the Departments of Public Works, Motor Vehicles and California Highway Patrol. Provides that the new agency shall be under the supervision of an executive officer known as Administrator of Highway Transportation, appointed by the Governor at an annual salary of \$25,000, Operative October 1, 1961. Chapter 2073.

TAXES

In accordance with the Governor's program of "fiscal responsibility," the legislature approved a state budget closely balanced at \$2.6 billion for the coming fiscal year. Under these circumstances, and faced with mounting needs for increased state expenditures and estimated reductions in state revenues due to the recession, the major task of the session from the Governor's "fiscal responsibility" position was to prevent any tax cuts that would throw the budget out of balance. It was the announced intention of the Governor that he would use his veto power as necessary.

This Administration position, however, allowed for the passage of **AB 60**, endorsed by the Governor, and estimated to save consumers some \$5 to \$6 million a year by elimination of the sales tax on prescription drugs. Passage of this measure was supported by organized labor along with two other sales tax measures secured through the legislature which provide for needed reforms in the assessment of the sales tax. These include **AB 1769**, pro-

viding for an official sales tax schedule for use of retailers, and **AB 2518**, providing for refunds on sales taxes levied against non-taxable items.

The legislature, with the Governor's approval, also passed a series of bills reducing taxes another \$2.3 million by bringing the state personal income and corporation income taxes into conformity with various provisions of federal law. The bulk of these bills, however, are listed below under the classification "other bills," because in a number of areas the

reduced tax benefits will accrue largely to the upper income taxpayers who file itemized state income tax forms. Under the present state income tax, with existing exemptions, most workers either do not pay an income tax or pay an amount filed on the short form.

It should be noted finally that the legislature also approved a constitutional amendment for submission to the voters at the 1962 election that is certain to be highly controversial. This is ACA 4, allowing the assessment of agricultural land for property tax purposes below the going rate in an area. The measure is listed under "other bills" for policy consideration by the next convention of the Federation.

Good Bills

Bills marked * were sponsored by the Federation

AB 60 (Rumford; co-authored by Senator Fisher). Exempts prescription drugs from sales tax, effective January 1, 1962. Chapter 866.

***AB 691 (Gaffney).** Allowed deductions from state tax for home repairs and alterations costing between \$250 and \$2500. Referred to interim study by Assembly committee.

AB 818 (Marks). Makes state cigarette tax deductible in the computation of federal income taxes by declaring the cigarette tax a direct tax on consumers. Chapter 2193.

AB 1769 (DeLotto). Requires the state Board of Equalization to prepare and enforce an official sales tax schedule which prevents retailers from charging more than the legal tax on small purchases; requires also that the sales tax be levied against the total taxable items instead of each item separately when the consumer so requests. Chapter 869.

AB 2518 (Knox). Provides for consumer refund by seller of tax knowingly computed on amounts not subject to the sales tax. Chapter 872.

SB 93 (McBride). Permits working mothers and widowers to take a state income tax deduction for child care expenses up to \$600. Chapter 851.

SB 101 (McBride). Exempted up to \$100 per week of disability wage loss compensation received from an employer in computing gross income for the purposes of the state income tax. Passed Senate, but died in Assembly committee.

SB 111 (McBride). Exempts from bank and corp-

oration franchise income taxes trusts providing for the payment of supplemental unemployment compensation benefits. Chapter 857.

Bad Bills

AB 77 (Hegland). Required publicly owned utilities to pay property taxes. Referred to interim study by Assembly committee.

AB 1018 (Shell). Provided for the deduction of the federal estate tax from state inheritance tax. Died in Assembly committee.

AB 1321 (Pattee). Allowed cigarette distributors larger amounts for collection of cigarette tax. Died in Assembly committee.

ACA 31 (Charles H. Wilson). Proposed a constitutional amendment limiting property taxes not to exceed two percent of full cash value of the property in any given year. Referred to interim study by Assembly committee.

AJR 21 (Cusanovich). Proposed amendment of federal constitution to abolish personal income, estate, and gift taxes, and to prohibit government from engaging "in business in competition with its citizens"—so-called millionaires' amendment. Died in Assembly committee.

SB 104 and SB 108 (McBride). Amends state bank and corporation and personal tax laws to permit the deduction by farmers of expenditures for fertilizers and other materials for land enrichment. Chapters 855 and 856.

SB 110 (McBride). Exempted specified "real estate investment trusts" from the state bank and corporation tax law. Pocket-vetoed by the Governor.

Other Bills

AB 1866 (Z'berg). Permits the creation of a lien on personal property for delinquent personal property taxes exceeding \$150 and/or not secured by property. Chapter 418.

AB 2833 (Cologne). Provides that after October 1, 1961, cities and counties may adopt or repeal local sales taxes only by affirmative vote of two-thirds of entire elected membership of respective governing bodies. Chapter 2004.

ACA 4 (Lundardi). Proposes a constitutional amendment providing that tax assessor, in assessing land which is used exclusively for agricultural purposes, may consider no factors other than those relative to such use if the assessor determines, upon written application of the fee simple owner, that land is such as it meets conditions for assessment in this manner. Provides further that if land so under-assessed is sold, the difference between

the tax assessed and the tax that should have been assessed over the preceding seven years must be paid by the land owner. Chapter 254.

ACA 7 (Charles H. Wilson). Proposes a constitutional amendment to authorize local creation of county tax appeals boards in counties having a population in excess of 400,000 to perform equalization functions now performed by boards of supervisors pursuant to general laws applicable to county boards of equalization. Chapter 100.

ACA 43 (Kilpatrick). Proposed a constitutional amendment to permit a city, or county, or district to exempt improvements and personal property from taxation and to limit the rate of taxation thereon—so-called incentive tax plan. Referred to interim study by Assembly committee.

SB 95 (McBride). Permits state income tax deduc-

tion for interest equivalent in certain installment sales contracts. Chapter 852.

SB 97 (McBride). Allows retirement income credit under state personal income tax. Chapter 853.

SB 99 (McBride). Allows state income tax deduction of medical expenses in excess of 3 percent of gross income, instead of 5 percent. Makes other related changes. Chapter 854.

SB 294 (McCarthy). Provides that wholesale vendors shall pay the sales tax on confectionery sold by youth groups. Chapter 149.

SB 668 (Shaw). Exempts from state inheritance tax community property passing to a widow; reduces widow's exemption; raises rates to class "B" heirs. Chapter 2189.

VOCATIONAL AND REHABILITATION TRAINING

(Includes Retraining and Apprenticeship Programs)

Although the Federation's basic bill establishing responsibility for coordinating retraining programs in the Department of Employment, ***AB 379**, was killed in Senate committee after passing the Assembly, the 1961 session made substantial progress in this increasingly important area of legislation. As reported under the unemployment insurance section of SOCIAL INSURANCE PROGRAMS, benefits are now available to jobless workers undergoing bona fide retraining as part of the basic unemployment insurance benefits structure. The legislature also passed **AB 2171**, listed below, which broadens the authority of the Division of Apprenticeship Standards in the Department of Industrial Relations to promote on-the-job training programs in cooperation with labor and management. Perhaps the greatest potential significance of this bill is that it contains provisions for the utilization of any federal funds that become available to the state for on-the-job training.

A Federation proposal to broaden vocational rehabilitation programs, contained in ***AB 332**, unfortunately failed to get out of committee. Besides broadening the scope of vocational rehabilitation training, this bill would have made provision for following the progress of handicapped persons who have completed their rehabilitation programs.

In the area of apprenticeship training, the Federation's bill on the enforcement of fund collections, ***AB 2408**, was signed into law. Also, a portion of **AB 2171** extends the concept of apprenticeship training to include the retraining of journeymen

so that their skills may be kept abreast of technological advancements in their trade.

It should be noted finally that as efforts in the area of vocational training are expanded to meet the mounting demands for more effective development of the skill potential of our labor force, it will become increasingly necessary to obtain fully qualified instructors to staff technical and industrial training programs in our public schools. In this regard, in connection with the Fisher credentialing reform bill, the Federation successfully sponsored amendments providing for a standard designated subjects credential with a specialization in technical and industrial education. (See **SB 57** and **AB 1082** under SCHOOLS.)

Good Bills

Bills marked * were sponsored by the Federation

***AB 332 (Waldie).** Expanded "vocational rehabilitation" to include training in schools, colleges, by tutor or on-the-job, and permitted the supplying of occupational tools. Provided that "physical restoration" includes

the furnishing of hearing aids, braces, trusses, and other necessary medical equipment, and deleted a provision excluding curative treatment for acute or transitory medical conditions. Finally, required the appointment of an officer to act as liaison between the Department of Education and organizations of employees, and required the Department to follow the progress of individuals who have completed rehabilitation programs. Died in Assembly committee. (Senate companion, *SB 168, died in Senate committee.)

*AB 379 (Waldie). Established a state policy on the strengthening of programs of vocational training and retraining of persons who lose their employment because of technological or engineering advances. Provided for administration in the Department of Employment, but required cooperation with the Department of Industrial Relations in the establishment of programs. Gave the Department full authority to coordinate and cooperate with state and federal agencies as well as private groups for implementation of the act, while authorizing the Department also to hold hearings, formulate regulations, and conduct research with regard to vocational training and retraining programs. Prior to Assembly adoption without opposition, bill was amended to confine eligibility to persons over 40 years of age meeting specified requirements. Killed in Senate committee.

*AB 2408 (Petris). Provides that failure by an employer to make agreed payment to an apprenticeship fund is a misdemeanor. Chapter 1218.

Other Bills

AB 1864 (Casey). Provided for the establishment of non-profit workshops or rehabilitation facilities to provide employment opportunities for the severely handicapped. Referred to interim study by Assembly committee.

AB 2171 (Hawkins). Authorizes the Division of Apprenticeship Standards within the Department of Industrial Relations to promote on-the-job training programs to (1) keep journeymen in apprenticeable occupations abreast of technological advancements, and (2) develop labor-management programs in non-apprenticeable occupations for workers entering the labor force for the first time, or those entering new occupations because of displacement by automation or other technological advancements. Prior to adoption, amendments were inserted which assure conformity to collective bargaining agreements on training programs. Chapter 1892.

AB 3006 (Kilpatrick). Provided for interest-free loans in a specified range of \$30 to \$300 for jobless persons undergoing retraining. Bill was geared to providing such loans for short term industrial training courses offered by profit-making trade schools. Referred to interim study by Assembly committee.

SB 751 (Rodda). Similar to AB 1864. Referred to interim study by Senate committee.

WATER AND POWER

Good Bills

AB 261 (Davis). Declares state policy to maximize recreation development in multipurpose water projects; provides that preservation of fish and wildlife in connection with water development shall be a charge against water users while making enhancement and recreational development a non-reimbursable item to be charged against the general taxpayers. The financing provisions of the bill were deleted prior to passage. Chapter 867.

AB 586 (Z'berg). Established a generally weak but improved policy on the sale of electric power generated in connection with water resources development projects to encourage widest possible distribution at the lowest possible rates for consumers. Referred to interim study by Assembly Water Committee.

AB 1326 (O'Connell). Established state policy against monopoly and speculation in the development of state water projects by writing into the state law the 160-acre concept patterned after federal reclamation law. Killed in Assembly Water Committee.

AB 1606 (Burton). Provided for preference distribution of publicly generated power to public agencies patterned after public preference clause in federal reclamation law to encourage the widest possible distribution of public power at the lowest possible rates to consumers. Killed in Assembly Water Committee.

AJR 5 (Z'berg). Asks Congress to recognize and develop the recreation potential of federal channel control works in the Delta and along the Sacramento and San Joaquin Rivers. Filed with the Secretary of State. Chapter 37.

AJR 6 (Waldie; co-authored by Senator Rodda). Requests a study by the state and federal governments relating to development and use of levees of the Sacramento River for recreation and other purposes. Filed with the Secretary of State. Chapter 44.

AJR 19 (Garrigus; co-authored by Senator Cobey). Requests Congress to proceed with construction of the East Side Canal in the San Joaquin Valley as part of the Central Valley Project. Filed with the Secretary of State. Chapter 85.

SB 773 (Teale). Requires the Department of Water Resources to file budgets of proposed expenditures with the Department of Finance. Chapter 1955.

SB 777 (Teale). Requires Department of Water Resources to report to the legislature on recrea-

tional developments planned in connection with the water conservation facilities to be constructed. Chapter 1156.

SJR 2 (Cameron; co-authored by Assemblyman Lunardi). Requests Congress to authorize construction of the Auburn Dam and Folsom South Canal as part of the federal Central Valley Project. Filed with Secretary of State. Chapter 163.

SJR 36 (O'Sullivan). Requests Congress to support appropriations for the Office of Saline Water in the Department of the Interior. Filed with Secretary of State. Chapter 182.

Bad Bills

AB 2019 (Porter). Prohibited any limitation on the amount of state developed water a landholder may receive. Dropped in Assembly Water Committee after AB 1326 was killed.

AB 2020 (Porter). Required all public power generated by the state to be sold at so-called market price to maximize subsidies for water deliveries without concern for cost of power to consumers or the enrichment of big landholders who would receive the subsidized water. Dropped in Assembly Water Committee after AB 1606 was killed.

AB 2363 (Porter). Established sound state policy to promote recreational development in connection with water projects, but specifically prohibited use of any state water bond funds for recreational development, thus treating recreation as a stepchild in water development, and further, permitting water development planning for recreation only to the extent that separate funds may be made available. This bill was the Department of Water Resources' alternative to AB 261. Dropped by the Department after it succeeded in amending the appropriations out of AB 261, which it then supported.

AB 2455 (Williamson; co-authored by Senator Stiern). Creates a so-called master district in Kern County to require all property holders, whether they receive any water or not, to subsidize water for those who receive it, i.e., primarily giant landholders. Chapter 1003.

SB 163 (Cobey). Would have established in state law a specific requirement that all excess revenues from sale of publicly-generated power be used to lower water prices for agricultural users without any limitation on such subsidies. Died in Senate committee.

SB 611 (Cobey). Precluded any effective control of monopoly, speculation and unjust enrichment in water development. Died in Senate committee.

SJR 11 (Teale). Requested Congress to exempt any power deliveries from an inter-tie with the Bonneville

Project in the Pacific Northwest from public power preference requirements. Died in Senate Committee.

Other Bills

AB 1377 (Z'berg). Would have written into state law a Department of Water Resources' enunciation of policy during the water bonds campaign of 1960 that no construction would be undertaken until contracts for repayment for 75 percent of the costs have been secured. Bill was amended to conform specifically to this requirement as written into the Metropolitan Water District contract negotiated by the State Department of Water Resources. Killed by Assembly Water Committee.

AB 1829 (Z'berg). Would have validated provisions of Article 30 of the contract between the State Department of Water Resources and the Metropolitan Water District of Southern California imposing a surcharge for excess use of project water. Killed in Assembly Water Committee.

AB 2224 (Garrigus). Established an acreage limitation on water deliveries for use in agriculture based on the concept of an economical farm unit to return an adequate level of income. Accordingly, would have established acreage limitations by type of crop grown. Killed in Assembly Water Committee.

AB 2387 (Lunardi). Establishes policy for state financial assistance to local agencies under the Davis-Grunsky "Small Projects" Act. Chapter 1723.

AJR 41 (Garrigus). Calls on Congress to appropriate funds for a coordinated study by the U.S. Corps of Army Engineers, in cooperation with the federal Bureau of Reclamation and the California Department of Water Resources, relative to multi-purpose water development by watershed basins. Filed with Secretary of State. Chapter 237.

SB 609 (Cobey). Prohibited any water contract negotiated by the state with water agencies from becoming effective until approved by the legislature. Passed Senate, killed in Assembly Water Committee.

SB 612 (Cobey). Prohibited any contract under the state water development program from becoming effective until approved by the legislature, unless such requirement is waived by the legislature. Passed Senate, killed in Assembly Water Committee.

SB 746 (Arnold). Established priorities for project eligibility for loans under the Davis-Grunsky Act, providing for state financial assistance to local water projects. Pocket-vetoed by Governor.

SB 907 (Teale). Prohibited expenditure of funds appropriated by the California Water Resources Development Bond Act until after investigation and report to the Governor and the legislature. Passed Senate, killed in Assembly Water Committee.

MISCELLANEOUS

Good Bills

Bills marked * were sponsored by the Federation

AB 506 (Z'berg). Regulates prepaid service contracts of health and dance studios. Outlaws life-time contracts. Requires payments to be completed within two years and services to be provided within seven years from the contract date. Chapter 1675.

***AB 545 (Mills).** As introduced, repealed amendments enacted in 1957 allowing the establishment of net weight tolerances and authorizing enforcement of net weights by sampling procedures, which in implementation allow for certain tolerances. Amended in Assembly to repeal specific authority of the Department to permit numerical tolerances and referred to interim study by Assembly committee.

AB 644 (Hicks). Increases the amount of preferred wage claim against insolvent employers from \$600 to \$900. Chapter 1082.

AB 645 (Hicks). Gives employees a preferred claim for wages for the last 90 days preceding the sale of a business or concern. Provides that such wages are to be paid out of the proceeds of the sale. Chapter 1083.

AB 646 (Hicks). Increases from \$600 to \$900 the amount of wages earned within the last 90 days before the death of an employer having a preferred claim against the estate of the employer. Chapter 1084.

AB 647 (Hicks). Increases from \$600 to \$900 the amount which a worker may claim from attachment for labor or personal services performed within 90 days prior to levy. Chapter 1085.

AB 838 (Cameron). Required a merchant issuing trading stamps to give the purchaser the option of taking the stamps or receiving a cash discount equal to the value of the stamps. Referred to interim study by Assembly committee.

AB 875 (Davis). Would have allowed lumbermen's liens to follow the logs outside the county for 30 days, rather than ending when the logs leave the county. Died in Assembly committee.

AB 1133 (Rees). Puts auto warranties under the regulations of the Insurance Commissioner by defining as automobile insurance any contract of warranty or guaranty which promises service, maintenance, parts replacement, repair, money or any other indemnity for loss or damage to a motor vehicle or its parts. Chapter 595.

AB 1383 (Munnell). Regarding the administration of estates, increases from \$3,500 to \$5,000 the value of an estate that may be summarily set aside for a surviving spouse or minor children. Provides that if the court finds that the net value of the estate exceeds \$7,500 instead of \$3,500, it shall act upon the petition for probate or for letters of administration in the same manner as though no petition to set aside the estate had been included. Chapter 1190.

AB 1564 (Knox). Required the price per unit of weight, measure or count to be specified conspicuously on containers, where the quantity of the commodity in each container is not uniform. Referred to interim study by Assembly committee.

AB 2319 (Unruh). Strengthens the 1959 Unruh Retail Credit Sales Act to curb referral sales and other credit sales abuses. Chapter 1214.

SB 308 (Slattery; co-authored by Assemblyman Knox). Increases from \$500 to \$750 the limitation on unsecured loans that may be made by credit unions. Chapter 200.

SB 621 (Farr; co-authored by Assemblyman Knox). Enables the state Department of Public Health to pick up where the federal Food and Drug Administration leaves off in safeguarding users of cosmetics in California against adulterated or mis-branded cosmetics. Chapter 1398.

SB 1004 (Holmdahl). Makes it unlawful to sell merchandise labeled "made in U.S.A." or "made in America" when the merchandise has been entirely or substantially manufactured or produced outside of the United States. Chapter 676.

Bad Bills

AB 19 (Charles H. Wilson). Allowed use of school bands for profit-making events. Killed in Assembly committee.

AB 828 (Britschgi). Revises law regarding industrial loan companies. Among other things increases ceiling on interest rates that may be charged. Chapter 1056.

AB 1397 (Bradley). Abolished office of Consumer Counsel. Killed in Assembly committee.

AB 2441 (Bagley). Weakened egg standards. Pocket-vetoed by the Governor.

AB 2828 (Don A. Allen). Exempted wholesaler of perishable foods from jail sentence for violations of net weights law, unless the violation was wilful. Referred to interim study by Assembly committee.

SB 277 (Donnelly). Prohibited the sale of poultry meat which contains added moisture in excess of 6 percent rather than 4 percent by weight, or in excess of such greater amount as may be established by the Department of Agriculture. Died in Senate committee.

Other Bills

AB 265 (Grant). Provided for the licensing and regulation of television, radio and phonograph repair, service and maintenance businesses under a state board of radio and television consumer technical services. Referred to interim committee study by Assembly.

AB 890-94 and AB 898 (Z'berg). Makes numerous changes relating to the enforcement of state laws on unfair trade practices and anti-trust actions. Chapters 795, 738, 796, 1023, 757, and 797.

AB 1344 (Hanna). Regulates so-called ten percenters. Chapter 886.

AB 1365 (George E. Brown). Provided for the licensing and regulation of interior designers and decorators under a state board of interior designers and decorators. Referred to interim study by Assembly committee.

AB 1782 (Beaver). Prohibited retail seller of eggs from limiting the number of eggs that may be purchased by any person at the given retail price. Passed Assembly but died in Senate committee.

AB 2162 and 2163 (Rumford). Established pilot programs to provide state assistance to youth employment

programs of local agencies under specified conditions. Died in Assembly committee.

AB 2252 (Rees). Makes numerous changes in law relating to conditional sales in automobiles. Provisions designed to give consumers real protections, however, were deleted in the process of enactment. Chapter 1626.

AB 2796 (Meyers). Provided for the licensing of motor vehicle repair shops. Referred to interim study by Assembly committee.

AB 3124 (Meyers). Abolished local administration of weights and measures, and provided for administration by the state sealer and his deputies. Referred to interim study by Assembly committee.

SB 213 (McCarthy). Provided for limited regulation of outdoor advertising on scenic highways. Pocket-vetoed by Governor.

SB 243 (Burns; co-authored by Assemblyman Gaffney). Outlaws so-called "loss leaders" in grocery stores. Chapter 1347.

SB 925 (Gibson). Creates pilotage rate committee for San Francisco, San Pablo and Suisun Bays, consisting of five members appointed by Governor pursuant to specified procedure. Chapter 2227.

SB 1093 (Farr; co-authored by Assemblyman Z'berg). Provided for the establishment of a uniform commercial code. Referred to interim study by Senate committee.

STATE OFFICERS AND MEMBERS OF THE 1961 LEGISLATURE

Governor—Edmund G. Brown, State Capitol, Sacramento
 Lieutenant Governor and President of the Senate—Glenn M. Anderson, Los Angeles
 President Pro Tempore of the Senate—Hugh M. Burns, Fresno
 Speaker of the Assembly—Ralph M. Brown, Modesto
 Speaker Pro Tempore of the Assembly—Carlos Bee, Hayward

SENATORS

Party	Dist.	City	Party	Dist.	City
Arnold, Stanley.....	D 1	Susanville	*McBride, James J.....	D 33	Ventura
Backstrand, L. M.....	R 37	Riverside	McCarthy, John F.....	R 13	San Rafael
Begovich, John C.....	D 9	Jackson	Miller, George, Jr.....	D 17	Martinez
Brown, Charles.....	D 28	Shoshone	Murdy, John A., Jr.....	R 35	Santa Ana
Burns, Hugh M.....	D 30	Fresno	O'Sullivan, Virgil.....	D 8	Williams
Byrne, Paul L.....	R 6	Chico	Quick, Aaron W.....	D 39	Calexico
Cameron, Ronald G.....	D 7	Auburn	Rattigan, Joseph A.....	D 12	Santa Rosa
Christensen, Carl L.....	D 3	Eureka	Regan, Edwin J.....	D 5	Weaverville
Cobey, James A.....	D 24	Merced	Richards, Richard.....	D 38	Los Angeles
Collier, Randolph.....	D 2	Yreka	Rodda, Albert S.....	D 19	Sacramento
Dolwig, Richard J.....	R 21	Redwood City	Shaw, Stanford C.....	D 36	Ontario
Donnelly, Hugh P.....	D 22	Turlock	Short, Alan.....	D 20	Stockton
Farr, Fred S.....	D 25	Carmel	Slattery, Waverly Jack.....	D 4	Finley
Fisher, Hugo.....	D 40	San Diego	Stiern, Walter W.....	D 34	Bakersfield
Geddes, Samuel R.....	D 11	Napa	Sturgeon, Vernon L.....	R 29	San Luis Obispo
Gibson, Luther E.....	D 15	Vallejo	Teale, Stephen P.....	D 26	West Point
Grunsky, Donald L.....	R 23	Watsonville	Thompson, John F.....	R 18	San Jose
Hollister, John J., Jr.....	D 31	Santa Barbara	Williams, J. Howard.....	R 32	Porterville
Holmdahl, John W.....	D 16	Oakland	Williams, Robert D.....	D 27	Hanford
Johnson, Ed. C.....	R 10	Marysville			
McAteer, Eugene.....	D 14	San Francisco			

*Deceased (June 12, 1961)

ASSEMBLYMEN

Party	Dist.	City	Party	Dist.	City
Allen, Bruce F.....	R 29	Los Gatos	Holmes, James L.....	R 36	Santa Barbara
Allen, Don. A., Sr.....	D 63	Los Angeles	House, Leverette D.....	D 76	Brawley
Bagley, William T.....	R 7	San Rafael	Kennick, Joseph M.....	D 44	Long Beach
Bane, Tom.....	D 42	Tujunga	Kilpatrick, Vernon.....	D 55	Lynwood
Beaver, Jack A.....	R 73	Redlands	Knox, John T.....	D 11	Richmond
Bee, Carlos.....	D 13	Hayward	Lanternman, Frank.....	R 48	La Canada
Belotti, Frank P.....	R 1	Eureka	Leggett, Robert L.....	D 5	Vallejo
Bradley, Clark L.....	R 28	San Jose	Levering, Harold K.....	R 60	Los Angeles
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Brown, George E., Jr.....	D 45	Monterey Park	Luckel, Frank.....	R 78	San Diego
Brown, Ralph M.....	D 30	Modesto	Lunardi, Paul J.....	D 6	Roseville
Burke, Montivel A.....	R 53	San Marino	Marks, Milton.....	R 21	San Francisco
Burton, Phillip.....	D 20	San Francisco	McMillan, Lester A.....	D 61	Los Angeles
Busterud, John A.....	R 22	San Francisco	Meyers, Charles W.....	D 19	San Francisco
Cameron, Ronald Brooks.....	D 50	Whittier	Mills, James R.....	D 79	San Diego
Carrell, Tom C.....	D 41	San Fernando	Monagan, Robert T.....	R 12	Tracy
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Gaffney, Edward M.....	D 24	San Francisco	Waldie, Jerome R.....	D 10	Antioch
Garrigus, Charles B.....	D 33	Reedley	Williamson, John C.....	D 39	Bakersfield
Grant, William S.....	R 70	Long Beach	Willson, George A.....	D 52	Huntington Park
Hanna, Richard T.....	D 75	Garden Grove	Wilson, Charles H.....	D 66	Los Angeles
Hawkins, Augustus F.....	D 62	Los Angeles	Winton, Gordon H., Jr.....	D 31	Merced
Hegland, Sheridan N.....	D 77	La Mesa	Wolfrum, Chet.....	R 56	Los Angeles
Hicks, W. A.....	D 8	Sacramento	Z'berg, Edwin L.....	D 9	Sacramento

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Tabulated Vote on 38 Assembly Roll Calls

* Indicates a Federation Bill.

Tabulated Vote on 11 Senate Roll Calls

* Indicates a Federation Bill