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**THE SACRAMENTO STORY**  
***Labor and the Legislature***

# LABOR LEGISLATION

**REPORT ON  
1963 REGULAR SESSION OF THE  
CALIFORNIA LEGISLATURE**

**January 7 to June 21**

*and*

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**THOS. L. PITTS**

**Secretary-Treasurer and Legislative Representative**

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# REPORT ON LABOR LEGISLATION

## FOREWORD BY THE SECRETARY

The pages that follow contain the **Sacramento Story** for 1963. It is not a story that can evoke cheers—or even passive acceptance—by any individual or group seriously concerned about the welfare of working people and the prosperity of our growing state. On the contrary, it is a story that demands an accounting on the part of some key legislative leaders and individual members of the legislature whose penchant for power, prestige, and acceptance caused them to place the interests of special privilege above those of the general welfare, and turn their backs on the very people who helped elect them to office.

In this respect, I hasten to add that the **Sacramento Story** is not a matter for partisan consideration. Admittedly, it depicts an unhappy situation, but one that requires non-partisan evaluation and appropriate corrective action in the great tradition of a free labor movement that has contributed so handsomely toward the cause of social and economic justice. Indeed, any sober analysis of the 1963 session, in the interests of labor unity, requires also the setting aside of petty differences that may exist internally so that the cause and common aspirations of working people may be asserted effectively and with purpose.

### A SECOND LOOK

Re-evaluation of labor's strategic position on the eve of another general election year, and a second look at labor's gains and losses now that the smoke has cleared from the legislative battle scene, do not warrant any change in the preliminary observation that the 1963 session "reflected a divided and confused legislature, lacking in orientation toward social and economic objectives," that left behind it "an uneven record of achievement, failure and inaction." On several broad legislative fronts, the session was turned into a field day for conservative and reactionary forces seeking to stem the tide of socio-economic progress.

These are the hard facts which cannot be denied, and which find corroboration in the glowing and jubilant reports of the special interests themselves on the outcome of the session. Their words speak volumes in characterizing the tenor of the legislature.

One example is the report of the California Conference of Employer Associations, which is rep-

resentative of the most reactionary element of the employer community on the Sacramento scene. In a covering letter to employer members forwarding the Association's report on legislation affecting the fields of social insurance and industrial relations legislation, the chairman writes:

"It is a pleasure to present this copy of the Conference's final legislative report for the 1963 general session of the California legislature. No informed person at the beginning of the session would have predicted that employers would escape enactment of some damaging legislation in the employee relations field; but this is exactly what happened in the face of heavy odds to the contrary."

A "confidential" bulletin issued to insurance industry clients out of Montgomery Street in San Francisco adds these words of evaluation:

"... now that the legislative season may be regarded as ended, we can write with considerable optimism concerning the improved political climate in which the industry now seems to be functioning. The outlook is much better throughout the nation, and particularly in the West. In California, this development has been nothing short of phenomenal."

In its weekly publication "Southern California Business," the Los Angeles Chamber of Commerce has boasted a legislative batting average of .750 in a printed legislative box score of the 1963 regular and special sessions. The publication states that "the Chamber is proud to present a legislative box score which shows that in 75 percent of the cases, Chamber policy was sustained by final action of the state legislature. . . . Of the 65 measures listed, action favorable to the Chamber's position was taken on 49."

These sample reports are more than an indication of the kind of treatment that the session gave

to the broad scope of legislative proposals that evolved out of the 1962 Long Beach convention of the Federation. They confirm what is written in the body of this official report on the 1963 legislature.

### **BASIC LABOR AND SOCIAL INSURANCE BILLS**

The breadth and scope of the Federation's legislative program constituted a well documented program for responsible action consistent with the welfare of workers and the public alike. In the process of consideration of these measures, however, the legislature as a whole was unable to overcome the apparent determination of key legislative leaders, especially in the Assembly, to placate the army of special interests that besieged the capitol.

During the six months of continuous session, the legislature failed to correct serious deficiencies in California law governing labor-management relations. Floor consideration was effectively precluded by operation of the committee system.

On the social insurance front, insufficient time was allowed by the Assembly leadership for the consideration of key bills affecting unemployment insurance, workmen's compensation, and unemployment disability insurance. Racing against the clock, the legislature adjourned without making any substantial improvement in these fundamental programs directly affecting the welfare of working people. Only two relatively minor bills increasing the minimum weekly benefit for unemployment insurance and unemployment disability insurance were passed and signed into law. The details of this sorry record are spelled out in the sections on LABOR UNIONS, general LABOR CODE CHANGES, and SOCIAL INSURANCE LEGISLATION.

### **SPRINKLING OF ACHIEVEMENTS**

No record, however, is ever entirely black or white. Despite the setbacks and shortcomings of the session, a number of significant advancements were recorded. Unquestionably, one of the major achievements of the session in the field of socioeconomic legislation was the enactment of the Rumford Fair Housing Bill (AB 1240), which was rescued on the floor of the Senate in the eleventh

hour and sent to the Governor just ten minutes before midnight and mandatory adjournment of the session. But even here, in this finest hour of performance, the legislature failed to back up the Rumford measure with an economic housing program for low- and middle-income families, considered essential to the implementation of fair housing legislation. In this respect, even a greatly watered down version of legislation recommended by the Governor's Commission on Housing Problems was defeated in response to the opposition of the banks, savings and loan associations, and other financial interests that oppose any and all use of the state's credit to meet basic housing needs.

The anti-discrimination action taken by the legislature was paralleled and augmented by a sprinkling of progress on a number of fronts—most notably in social welfare and other areas of human rights; in some phases of education, consumer protection laws, job training problem areas; and in the search for solutions to problems of metropolitan growth and planning for physical and economic development. These are reviewed in appropriate sections of the *Sacramento Story*.

### **FEDERATION BILLS**

On final count, six Federation bills survived the session and were signed into law by the Governor. The Federation's efforts and successes, however, cannot be measured by these bills alone. The state AFL-CIO's involvement in the broad fields of legislative activity covered by the *Sacramento Story* is indicative of the contributions made by labor toward the achievements noted above.

On civil rights issues, the Federation worked closely throughout the session with the community of equal rights groups, through the California Fair Practices Committee, which led the fight for the enactment of the Rumford Fair Housing bill. On consumer matters, likewise, the Federation gave strong support to the Office of Consumer Counsel. In these and other areas, the Federation's supporting activities frequently provided the margin of difference between success or failure.

In regard to consumer legislation specifically, it is to be noted that the major consumer bill of the session was a Federation-sponsored measure,

**\*AB 481 (Foran)**, which prohibits "deficiency judgments" on household goods that are repossessed from a defaulting buyer and resold by the creditor. Under this new law, a creditor who repossesses and resells goods is prohibited from recovering deficiency charges from the defaulting buyer based on the difference between the amount owed under contract and the price at which the repossessed goods are sold. Creditors, in other words, are required to make a choice between repossessing the goods or suing for the unpaid balance—they are prohibited from having it both ways.

Another Foran bill sponsored by the Federation, **\*AB 482**, supplements the deficiency judgment measure. It prohibits the issuance of wage attachments without eight days prior notice by registered mail to the last known address of the person affected by the attachment. On still another consumer front, the Federation successfully sponsored **\*AB 418 (Knox)** which repeals the authority granted the Department of Agriculture in 1957 to allow numerical tolerances (short weights) for packaged goods sold in grocery stores.

Federation action was also responsible for significant steps taken to curb the abuses of private trade schools that hold out the prospect of job placement as an inducement for enrollment, or that engage in placement activities. **\*AB 419 (Knox)** requires the Labor Commissioner to prescribe rules and regulations establishing standards governing the advertising and placement activities of private schools. This authority includes the adoption of standards to prevent misleading advertising and to require accurate information when the advertising or publicity relates to job availability and the degree of skill and length of time required to learn a trade or skill. The standards to be developed by the Labor Commissioner governing placement activities must require fulfillment of a promise of placement made as an inducement to enrollment, or return of the training fees charged.

Other bills successfully sponsored by the Federation include: **\*AB 661 (Petris)** prohibiting cities and counties from enacting income or payroll taxes; and **\*AB 319 (Davis)** strengthening the Labor Code provisions governing security for wages in logging operations.

#### **AUTOMATION AND FULL EMPLOYMENT**

With Federation backing, the legislature took two limited but positive steps that are of long-run

significance in coming to grips with problems of unemployment. The passage of **SB 370 (Holmdahl)**, for the first time sharpens the focus on the necessity of state programming, supplemental to federal action, to "promote full employment and increase productivity, income and purchasing power." Paralleling the federal Employment Act of 1946, the Governor is required to submit an annual economic report to the legislature with his recommendations to achieve this full employment policy.

**AB 49 (Elliott)** was also enacted into law, creating a 29-member California Commission on Manpower, Automation and Technology to seek solutions to structural unemployment problems involving the matching of men and jobs. Passage of this legislation culminates a two-year effort by the Federation to provide a vehicle with a statutory base at the state level for focusing responsibility on the projection of skill needs so that coordinated skill development programs may be undertaken on a community basis with proper balance between institutional and on-the-job training. The functioning of this Commission is considered vital not only to the implementation of the federal Manpower Development and Training Act, but also to the coordination of scattered efforts currently being made to keep skills abreast with requirements of our changing technology in the production process. It is evident, however, that both **AB 49** and **SB 370** represent only initial steps in the assumption of public responsibility for the conservation and development of our precious human resources.

#### **TAXES, BUDGETS, AND SPECIAL SESSION**

The constructive role played by the Federation in support of the Governor's tax revision program to provide additional revenues for the financing of expanded government services and programs is reviewed in the section on **TAXES**. The defeat of the Governor's tax program in the closing days of the general session, necessitating the special session called by Governor Brown on July 8, posed a serious threat to a number of new and "enriched" programs vital to California's growth and prosperity, including increased state aid for school districts. The eventual passage of a substantial portion of the Governor's tax program at the special session made it possible to restore the bulk of the cuts made in the 1963-64 fiscal year budget by the general session. As noted in the section on **EDUCATION**, however, the inability of the legislature to reach agreement on a number of school financ-

ing issues resulted in the passage at the special session of an inadequate school aid bill that fails to utilize even existing available revenues.

### LABOR'S FRIENDS

The usual tabulation of roll call "test votes" on the floor of the Assembly and Senate is inserted as a part of the 1963 **Sacramento Story**. Needless to say, despite the shortcomings expressed, labor could not have emerged from the 1963 session of the legislature as well as it did without the support of a solid core of legislators friendly to the labor movement. To these legislators, and particularly to those who carried labor's bills and took the lead in fighting labor's many battles in and out of committee where actions frequently escape public scrutiny, and also on the floor of the legislature, we are greatly indebted. The only adequate method of demonstrating labor's gratitude is by "rewarding labor's friends at the polls."

Again, however, it is necessary to urge caution in the use of the roll call tabulations. It is important to recognize that floor votes represent only one phase of the legislative process, and that committee actions frequently obscure or dilute the meaning of floor votes. In fact, it is not uncommon for a legislator who may have worked to kill or weaken a bill in the committee phase to cast a floor vote in support of the measure. Also, the crucial role of a committee chairman in influencing measures that reached the floor is not reflected in the tabulated roll calls.

Finally, I wish to express my appreciation for the cooperation extended by affiliated organizations that responded to requests to implement the legislative program of the Federation by communicating with their representatives in Sacramento. On occasions it was necessary to call local officials to Sacramento for this purpose, and I am grateful for the assistance they rendered. I especially call to your attention the invaluable work of President Albin J. Gruhn, who saw the session through from beginning to end, together with Vice President Harry Finks, the Federation's Chief Counsel Charles P. Scully, and members of the legislative staff. It was their dedication, together with the assistance rendered by representatives of affiliates on the Sacramento scene who cooperated with the Federation, that made it possible to carry out the legislative function of the Federation.

The continuous availability for guidance and assistance of the Federation's Legislative Committee—Manuel Dias, Chairman; W. J. Bassett, M. R. Callahan, Arthur Dougherty, Lowell Nelson, and Herbert Wilson—was also of immeasurable assistance. When the going was rough, their presence in Sacramento proved invaluable.

Fraternally submitted,

THOS. L. PITTS  
*Secretary-Treasurer*

# SUMMARY AND REPORT ON LEGISLATION

## AGRICULTURAL LABOR

Only limited success was achieved at the 1963 session in the never-ending struggle to bring legislative focus on the plight of farm workers and their families, who today are locked in poverty at the lowest rung of America's economic ladder. As was characteristic of the session generally, the most vital legislative proposals in this historic effort to improve their conditions of life and labor either failed to survive the initial steps of the legislative process or were quickly battered down after a brief flurry of interest and positive action. (These basic bills affecting labor-management relations and minimum wage legislation are reported under the sections on LABOR UNIONS and LABOR CODE, GENERAL, because of their general application. Similarly, unemployment insurance coverage to farm workers is reported under the section on SOCIAL INSURANCE PROGRAMS.)

The listing of bills below indicates that the limited amount of progress achieved during the session was primarily in the area of legislation protecting farm workers in their relations with labor contractors. A bill authored by Assembly John C. Williamson, AB 718, implements a recommendation of the Governor's Agricultural Labor Commission (1961-62) to give farm workers access to the payroll records of labor contractors. Two bills by Assemblyman Philip L. Soto, AB 2633 and AB 2634, provide for a modest increase in the bonding requirement and strengthen provisions regarding payroll deductions by labor contractors.

A resolution was also approved, memorializing Congress to establish a minimum wage for agriculture, but in the past this has amounted to nothing more than a meaningless gesture, advanced by agribusiness with the ulterior motive of using the resolution to block consideration of a state minimum wage bill for farm workers.

Beyond this, it should be noted that legislation of *potential* significance in regard to the development and stabilization of the state's domestic farm labor force was approved in two areas. SB 1397

(Stiern), listed below, in making it possible for local public housing agencies to operate farm labor centers, may prove helpful in alleviating the current dearth of family housing that stands as one of the major obstacles to the further development of our domestic labor force. Its potential effectiveness, however, is seriously limited by the requirement of concurring action at the local level, the gross inadequacies of present federal public housing programs, and the further lack of any state public housing program. In the same vein, the extension of the aid to needy children (ANC) program to families of the unemployed is expected to have its greatest beneficial impact on agricultural labor, because of the fact that farm workers are both underemployed and stand at the lowest rung of the nation's economic ladder. (AB 59—Burton—containing the ANC extension provisions is reported under the section on SOCIAL WELFARE.)

### Good Bills

**AB 718 (Williamson).** Requires farm labor contractor to keep a written statement showing the rate of compensation he receives from growers and the amount he pays his employees, and that this written statement be made available for inspection by both employees of the farm labor contractor and contracting growers. Chapter 265.

**AB 1976 (Burton).** Established a state minimum wage of \$1.50 per hour for farm workers. Died in Assembly Industrial Relations Committee on 5-4 vote (six votes necessary for committee "do pass" recommendation).

**AB 2485 (Marks).** Required rather than authorized the Department of Public Health to maintain health programs for migratory workers. Referred to interim committee study by the Assembly.

**AB 2514 (Song).** Provided that farm workers shall not be paid less than the prevailing wage as determined by the Department of Employment for various crop activities. Was specifically designed to enact safeguards regarding extension of ANC program to unemployed (see SOCIAL WELFARE). Died in Assembly committee.

**AB 2633 (Soto).** As introduced, increased from \$1,000 to \$5,000 the amount of the bond required to obtain a license as a farm labor contractor. As amended and signed into law increases the bonding requirement from \$1,000 to \$1,500. Chapter 1992.

**AB 2634 (Soto).** Requires that farm labor contractors furnish workers with detailed statement showing all deductions from wages. Chapter 1306.

**AB 2635 (Soto).** Made it mandatory that Labor Commissioner suspend the license of a farm labor contractor who violates provisions of farm labor contractor licensing law. Referred to interim study by Assembly committee.

**AB 2928 (Soto).** Provided misdemeanor penalty for acting as a farm labor contractor without a license. Referred to interim study by Assembly committee.

**SB 1397 (Stiern).** Authorizes local public housing authorities, with concurrence of local governing bodies, to acquire and operate farm labor centers. Prescribes powers and duties of such housing authorities with respect to such centers. Chapter 1515.

### **Bad Bills**

**AB 1442 (Cologne).** Proposed tax relief for associa-

tions organized exclusively to provide farm labor employment for their members. Died in Senate committee.

**AB 1717 (Pattee).** Weakened farm labor camp standards; provided that labor camps shall satisfy health and sanitation provisions of Labor Code if they conform to federal regulations under Public Law 78 concerning importation of braceros. Died in Assembly committee.

**AJR 21 (Pattee).** Requested Congress to extend Public Law 78, providing for importation of braceros. Died in Assembly Committee.

**SJR 10 (Lagomarsino).** Similar to AJR 21. Died in Senate committee.

### **Other Bills**

**AB 2227 (Song).** Established a voluntary program under the Department of Employment for the recruitment, training, transportation and employment of domestic agricultural workers. Referred to interim study by Assembly committee.

**AB 2793 (Veysey).** Created an Agricultural Development Commission to study the processes of agricultural adjustment and other technological advancements in state's agricultural economy, and also to determine if agricultural commodities are receiving a fair share of world markets. Referred to interim study by Assembly committee.

**AJR 42 (Veysey).** Declares that the state legislature advocate and support a federal minimum wage for agricultural workers "which would be equitable on a national scale." Filed with Secretary of State. Chapter 174.

**SB 1506 (Farr).** Required Director of Employment to engage the services of an organization qualified to analyze the social, economic, and financial impact of possible termination of Public Law 78. Appropriated \$50,000 for purpose. Died in Senate Finance Committee after receiving approval of Senate Committee on Insurance and Financial Institutions.

## CIVIL RIGHTS AND CIVIL LIBERTIES

The major achievement in the broad field of socio-economic legislation at the 1963 session was the enactment of the Rumford Fair Housing bill. It was an uphill struggle all the way that clearly demonstrated the effectiveness of the well coordinated drive of labor and equal rights groups behind the measure.

Following a long tradition in California concerning legislation affecting equal opportunities, the Federation, under mandate of the Long Beach convention, coordinated its efforts with minority, religious and other civil rights groups through the California Committee for Fair Practices. At the very outset of the session, the Committee made it clear to legislators that all groups concerned with human relations and civil rights legislation within

the Committee had agreed that **AB 1240**—the Rumford Fair Housing bill—would be the fundamental test of each legislator's attitude toward the principle of equality of rights and opportunities.

Although some delay was caused in the Assembly by debate over the effect the controversial



Berkeley housing election would have on the Rumford bill, it eventually was released from committee and sailed through the lower house in strong form by a 47-25 vote. In its basic provisions, as passed by the Assembly, the Rumford bill extended the prohibitions against discrimination in publicly-assisted housing to private housing, and provided for administrative enforcement through the Fair Employment Practices Commission. Before passage in the lower house, an original exemption of a single unit, owner-occupied dwelling was broadened to exempt owner-occupied dwellings of four or less units, and the penalty provisions were modified somewhat without impairing their effectiveness.

In May, the battle shifted to the Senate where the Rumford bill was referred to the Senate Governmental Efficiency Committee. For well over a month Rumford participated in several hearings and lengthy negotiations with committee chairman Luther E. Gibson of Solano County. It was not until just a few hours before legislative adjournment that a compromise bill was reported to the floor, which was hailed by Rumford as a "strong" measure.

**AB 1240** was handled on the Senate floor by Senator Edwin J. Regan, who successfully moved on a 20-16 roll call that the bill be made a special order of business at 11 p.m. Senate passage was secured by a 22-13 vote, and the bill was then rushed back to the Assembly for concurrence in Senate amendments. Concurrence by the Assembly on a 63-9 roll call sent the bill to the Governor just ten minutes before midnight and mandatory adjournment.

In its final form, it is estimated that **AB 1240** forbids discrimination against renters and buyers in about 70 percent of all housing in California. Virtually all new dwellings are included within the ban on discrimination by incorporating in the Rumford bill the provisions of the so-called Unruh Civil Rights Act as they apply to housing. Administrative enforcement is provided by the Fair Employment Practices Commission, enlarged from five to seven members.

Governor Brown, as a supporter of the Rumford Fair Housing Bill, has hailed it as "an historic step forward in our effort to guarantee equal treatment and opportunity for all citizens regardless of race or religion."

With the enactment of **AB 1240**, perhaps the major barrier standing in the way of full implementation is the existing gross deficiency of housing programs in California geared specifically to the needs of low and middle income families. The failure of the legislature to match the fair housing bill with an effective and essential economic housing program is reported under HOUSING AND URBAN REDEVELOPMENT.

(See also EDUCATION and SKILL DEVELOPMENT AND JOB TRAINING.)

### Good Bills

**AB 15 (Burton).** As introduced, required the suspension or revocation of any state license authorizing the conduct of any profession, vocation, or calling, upon showing that the licensee persistently engages in discrimination based solely on race, color, religion, or national origin against persons requesting services. Rewritten when heard in committee to provide that a violation of the state Civil Rights Act would be grounds for suspension or revocation of a license. Upon clearing policy committee, as the first civil rights bill taken up in the session, was referred on the floor to Ways and Means Committee where it died.

**AB 670 (Ferrell).** Provided that, in addition to race, color, religion and national origin, occupation or place of residence shall not constitute the basis for acceptance or refusal to sell insurance or for charging a higher premium. Died in Assembly Finance and Insurance Committee.

**AB 930 (Meyers).** Specifically prohibits discrimination in the state's civil service because of religious creed, color, national origin or ancestry. Chapter 1253.

**AB 1208 (Burton).** Proposed authorizing the governing body of any county, rather than merely counties with a population exceeding two million, to establish a human relations commission. Passed Assembly by a vote of 61-2. Died in Senate committee.

**AB 1239 (Dymally).** Changed the name of the state Fair Employment Practice Commission to the state Human Rights Commission. Passed Assembly by a vote of 67-8. Died in Senate Committee.

**AB 1240 (Rumford).** Fair Housing bill: prohibits discrimination in most privately financed housing as well as all publicly assisted housing with provision for effective administrative enforcement by the state's Fair Employment Practices Commission, enlarged from five to seven members.

Coverage is specifically spelled out to include the following: all publicly assisted multiple dwellings of three or more units; all publicly assisted single unit dwellings in which the owner lives; all multiple dwellings, however financed, of five or more units; public housing and redevelopment

housing; activities of banks, mortgage companies, and other financial institutions; and transactions of real estate brokers or salesmen. In addition, the bill brings within the enforcement jurisdiction of the commission any person subject to the provisions of Section 51 of the Civil Code (the Unruh Civil Rights Act) as that section applies to housing. Section 51 prohibits discrimination in "all business establishments of every kind whatsoever." Courts have thus far ruled that the following housing "businesses" were covered: rentals in a multiple dwelling of three or more; sales of tract housing; and real estate brokers in the performance of their services. Additionally, it is made unlawful for any person to aid, abet, incite, compel or coerce the doing of any discriminatory acts.

Enforcement procedures under the Fair Employment Practices Commission parallel, but are more explicitly spelled out than those possessed by the commission in the field of employment. After investigation, conciliation and a hearing, the commission, if it finds the respondent guilty, may order the sale or rental of the accommodation in question, or the sale or rental of a like accommodation, or the payment of damages to the aggrieved person, not to exceed \$500. Finally, it may seek an injunction in court to prevent violation of its final ruling. The violation of any court order makes the respondent guilty of contempt of court.

The commission may, after it finds probable cause, seek a temporary restraining order to prevent the sale of the property in question to a third party so that the right to buy or rent is not lost to the aggrieved person by the time a final decision is made. During the process of investigation, conciliation and hearings, the rights of the accused are protected at all times. The law specifically provides that owners shall have full right of selection for reasons other than race, religion or national origin. The measure pre-empts the field for state legislation.

Finally, "the practice of discrimination in housing accommodations is declared to be against public policy," and the provisions of the bill must be "liberally construed for the purpose of effectuating the public policy . . ." Chapter 1853.

**AB 1246 (Song).** Authorized the Fair Employment Practices Commission to initiate complaints. Died in Assembly Ways and Means Committee after receiving policy committee approval.

**AB 1605 (Dymally).** Prohibited real estate organiza-

tions from denying membership to a licensee because of race, color, creed, sex, or national origin. Passed Assembly by a vote of 62-8. Died in Senate Committee.

**AB 1710 (Burton).** As introduced, made California Fair Employment Practice Act applicable to discrimination on account of age. Amended to limit application to discrimination because of age of any person over 40, and referred to interim study by Assembly committee.

**AB 2243 (Dymally).** Declared state policy to neutralize stigma of criminal proceedings resulting from peaceful resistance to discrimination, segregation and the achievement of constitutional rights. Passed Assembly by 51-13 vote, and died in Senate committee.

**AB 2643 (Unruh).** Requires any city, county and local agency having property used as access to a public beach to allow free access over such property regardless of color, race, religion, ancestry, national origin or residence. Chapter 1595.

**AB 2660 (Dymally).** Made it a misdemeanor for any one to willfully use a dog to control any person participating in a peaceful assembly or demonstration if such person on whom the dog is used is a peaceful participant in such an assembly or demonstration. Refused passage on the Assembly floor by 30-28 vote.

**AB 2661 (Dymally).** Made it a misdemeanor and grounds for revocation of certificate for school administrators and board members to discriminate against certified school personnel on the basis of race, color, religion, national origin or ancestry. Passed Assembly by a vote of 59-2. Died in Senate committee.

**AB 2841 (Beilenson).** Required distribution to arrested persons, of a statement prepared by the Attorney General, in simple language setting forth their rights, including the right of bail, counsel, the privilege against self-incrimination, and the right to make telephone calls. Passed Assembly by a vote of 67-0. Died in Senate committee.

**AB 2927 (Dymally).** Established an Intergroup Relations Study Commission placing special emphasis on education, employment, law enforcement, and housing. Passed Assembly by a vote of 45-0. Referred to interim study by Senate committee.

**AB 2931 (Knox).** Set forth an oath of office calling for support and defense of the Constitution of the United States. Provided that no public officer or employee other than an officer whose term of office is prescribed by the Constitution shall be required to take any other oath of office. Tabled on Assembly floor by 42-30 vote.

**AJR 2 (Rumford).** Ratifies the proposed U.S. Constitutional amendment to abolish the poll tax requirement for voting in federal elections. Filed with Secretary of State. Res. Chapter 26.

**SB 170 (Rodda).** Continues existence of commission established by State Board of Education to assist and advise school districts in discrimination

problems in connection with the employment of teachers. Imposes additional duty on the commission of advising and assisting school districts in problems involving ethnic distribution of pupils and school attendance areas (de facto segregation). Carries \$25,000 appropriation. Chapter 1799.

**SB 1108 (Miller).** As introduced, provided that discrimination on the basis of race, color, religion, ancestry or national origin, by real estate licensee shall be deemed a violation of the law, permitting Real Estate Commissioner to suspend or revoke a license. Amended in Senate policy committee to remove revocation authority and to limit length of possible suspension of a license. As amended, was sent to Finance Committee which the author chaired, and then finally re-referred to the Governmental Efficiency Committee where it died. The measure, in the control of the author, served a useful purpose in applying pressure to secure Senate approval of the Fair Housing bill, **AB 1240**.

### Bad Bills

**AB 566 (Bagley).** Required that an application for a driver's license contain a signed statement by the applicant that he will consent to a blood test if arrested on the suspicion of drunken driving. Died in Assembly committee.

**AB 1715 (Waldie).** Allowed police officer to make an arrest without a warrant for misdemeanor committed outside of his presence if he reasonably believed it to have been committed. Died in Assembly committee.

**AB 1827 (Bagley).** Gave back door recognition to the use of polygraph and lie detector tests by providing for the licensing of polygraph examiners. Referred to interim study by Assembly committee. (Other lie detector bills affecting employment relations specifically, are reported

under **Labor Code Changes, General and Public Employees.**)

**AB 2197 (Henson).** Provided that a peace officer may arrest a person without a warrant when he has reasonable cause to believe that a public offense, rather than only a felony, has been committed. Eliminated the restriction that a peace officer may, without a warrant, arrest a person for a misdemeanor only when he has reasonable cause to believe that the person to be arrested has committed the offense in his presence. Died in Assembly committee. (Another version of a similar bill by Henson, **AB 2285**, also died in Assembly committee.)

**SB 404, 405, 406, 407 (Bradley).** Revised and weakened procedures for enforcement of Fair Employment Practices Act. **SB 406**, requiring that a hearing before the FEP commission be in accordance with the Administrative Procedure Act rather than "as nearly as practicable" in accordance with the Act, was approved by the legislature, but vetoed by the Governor. The Governor noted that the Administrative Procedure Act is designed primarily for use by agencies involved in the area of licensing and does not lend itself to mediation. An attempt to force the Commission into this procedure would diminish its effectiveness severely. The few other remaining bills died in Senate committee.

**SB 655 (Lagomarsino).** Added an additional exception to the rule prohibiting arrest at night for a misdemeanor, by permitting arrest on warrant, although magistrate has not so directed, when the person to be arrested is in a public place. Died in Senate committee.

**SB 750 (Bradley).** Required FEP Commission, as soon as practical after the filing of a complaint with it, to serve a verified copy of the complaint on the alleged wrongdoer, and prohibited the Commission from investigating or attempting to eliminate the alleged practice by conciliation until such service. Stymied conciliation service. Died in Assembly committee.

## CONSUMER PROTECTION

In this increasingly important field of legislation, the major achievement of the session was the passage of a Federation-sponsored measure, **\*AB 481 (Foran)**, prohibiting deficiency judgments on repossessed household goods, which was supplemented by another Federation-sponsored bill **\*AB 482 (Foran)** requiring service of notice before wages may be attached.

The significance of this contribution on the consumer front was expressed by State Consumer Counsel Helen Nelson in a letter to the Secretary-Treasurer of the Federation upon adjournment of the session: "Unorganized consumers will long have cause to be grateful to organized labor for taking the principal responsibility for working to end a most unfair practice (deficiency judgments on repossessions). They may never know how hard this was to accomplish, but we know that it is one in a long and proud list of social and economic improvements for which all citizens of California are indebted to organized labor."

Beyond this, the 1963 session produced some modest improvements in all of the four areas in

which Governor Brown made recommendations to the legislature in a special consumer message in April. These include several bills listed below affecting credit buying, packaging and labeling, consumer services, and general selling practices.

On the broad consumer front, however, despite the measure of progress achieved, the session will probably be remembered less for its actual performance in fundamental areas of consumer interest than for the fact that the legislature was forced to debate consumer issues. This was no small accomplishment in a legislature which for

years has been dominated by special interest groups inimical to the interest of consumers. Full credit must go to the untiring efforts of Governor Brown's Consumer Counsel, Helen Nelson, and her small staff, who put the special interests on the defensive.

The measures listed below as enacted, although significant, begin to lose some of their impressiveness when compared with the kind of consumer issues and bills lost during the session. Among these were "truth in lending" legislation; bills to outlaw "referral selling" practices, prohibit credit charges on revolving accounts until 30 days after a purchase, curb deficiency judgments on repossessed automobiles and lower interest rate charges on credit purchases of automobiles; legislation to provide effective enforcement of prohibitions against false and misleading advertising; and bills to provide consumers with protections against abuses in the automotive repair field. The latter included a Federation-sponsored measure, **AB 2638 (Meyers)**, providing for licensing of automotive repair shops and the certification of mechanics as to their competency.

All of the above measures were made the subject of interim committee study, augmenting resolutions introduced at the request of the Consumer Counsel providing specifically for interim study of weights and measures laws and the whole field of consumer packaging.

On balance, therefore, it should be recognized that the interest of consumers has barely begun to penetrate the power exercised over the legislature by self-serving interest groups. This was abundantly demonstrated by the manner in which the Assembly Finance and Insurance Committee bowed to the financial interests when it killed the "truth-in-lending" bill.

As embodied in **AB 2288 (Warren)**, this measure imposed no limits on interest charges; it merely advanced the cause of the "informed consumer" as basic to the private enterprise system. Despite its simplicity, it was vigorously opposed by the California Bankers Association, the State Savings and Loan League, the California Retailers Association, and other financial groups, on the argument that disclosure of the true cost of credit in simple annual interest terms would actually "confuse" the consumer. In its haste to kill the bill by sending it to interim committee for further study, the Finance and Insurance Committee didn't even afford the proponents of the bill an opportunity to answer the allegations of the opposition.

### Good Bills

**AB 336 (Knox)**. Provides some protections for buyers against false advertising by land developers and subdividers who sell in California; broadens authority of state Real Estate Commissioner to crack down on fraud in land sales. Chapter 927.

**\*AB 418 (Knox)**. Repeals unused authority granted the Department of Agriculture in 1957 to allow numerical tolerances (short weights) for packaged goods sold in grocery stores. Chapter 353.

**\*AB 481 (Foran)**. Prohibits "deficiency judgments" on household goods repossessed from a defaulting buyer and resold by the creditor. Applies to all credit sales under the so-called Unruh Act, but does not cover automobile credit purchases. Amendments offered by Senators Bradley and Cobey were defeated. The Bradley amendments would have completely cancelled the Federation amendments and the Cobey amendments would have limited protection to cases where 50 percent or more had been paid (the then existing law exempted cases where 80 percent or more had been paid). Chapter 1952.

**\*AB 482 (Foran)**. As introduced, exempted all earnings from levy of attachment or execution of judgment. As amended several times and passed by the legislature, prohibits the issuance of wage attachments without eight days prior notice by registered mail to the last known address of the person affected by the attachment. Chapter 1540.

**AB 828 (Rumford)**. Provides that before a new drug may be sold in California, its claimed effectiveness must be proven with substantial evidence. Chapter 1958.

**AB 963 (McMillan)**. Requires state Division of Housing to impose minimum painting standards at least equal to those required by FHA and VA for home construction loans. Chapter 441.

**AB 1359 (Beilenson)**. Requires TV and radio repairmen to furnish owner of set with receipt containing specified information, including an estimate of the total charges when bill exceeds \$15; requires itemized description of parts and statement of labor charges. When actual charges exceed estimate, dealer is prohibited from exercising a lien or other right to maintain possession pending payment of charges. However, permits waiver of rights by consumer, and applies only to counties with population exceeding 2,000,000. Chapter 1491.

**AB 2122 (Beilenson)**. Requires that a "referral selling" inducement to an automobile buyer be

stated in the conditional sales contract, and that the outstanding balance be reduced by any amount agreed to for the referral sales. Chapter 1319.

**AB 2288 (Warren).** "Truth-in-lending" bill required full disclosure of the cost of credit on the face of all contracts involving credit transactions; established a uniform method of setting forth the finance rate in terms of simple annual interest to enable consumers to protect themselves from high interest charges. Referred to interim study by Assembly committee.

**AB 2348 (Kennick).** Created Bureau of Automotive Repair Dealer Registration in Motor Vehicle Department. Required repair service dealers to register, and provided for spot checking of repair dealers; established penalties for deceptive, fraudulent and grossly negligent practices, including false and misleading advertising of repair services, prices, etc. Required parts and labor to be itemized, with written estimates of work to be furnished on consumer request. Prohibited charges in excess of estimate without consent of customer. Established machinery for informal adjustment of consumer complaints and gave Bureau authority to obtain injunctions against continued violations. Referred to interim study by Assembly committee. (See also \*AB 2638 below.)

**AB 2405 (Porter).** Prohibits advertising that falsely claims that seller of goods is a producer, manufacturer, processor, wholesale or importer. Chapter 1733.

**AB 2476 (Knox).** Establishes new safeguards for children's stuffed toys. Gives Bureau of Furniture and Bedding Inspection authority to check stuffed toys made or sold in California to make sure stuffing material is sterilized, clean, sanitary and free from contamination. Chapter 2141.

**AB 2502 (Zenovich).** Reduced maximum finance rate on automobile purchases. Referred to interim study by Assembly committee.

**AB 2504 (Beilenson).** Provides that when consumer has paid 80 percent of his contract on the purchase of an automobile and falls behind or defaults on payments, the seller must choose between repossessing the car or suing for the unpaid balance. Passed Assembly but referred to interim study by Senate committee.

**AB 2537 (Williamson).** Brings household moving companies under closer surveillance of the state Public Utilities Commission, requires PUC to adopt regulations concerning estimates and shipping delays, and gives Commission same power to take action against household moving companies as against other carriers who violate the law. Chapter 1826.

**AB 2550 (Greene).** Required that if the price of a packaged product is stated in advertisement, the quantity must also be stated. Passed Assembly by 41-37 vote, but died in Senate committee.

**AB 2577 (Stanton).** Restricted telephone solicitations for business purposes, while exempting bonafide chari-

table and political solicitations. Referred to interim study by Assembly committee.

**AB 2604 (Thelin).** Removed provision authorizing auto dealers to correct a violation of conditional automobile sales contract law, without penalty. Passed Assembly by a vote of 44-20. Died in Senate committee.

**AB 2624 (Alquist).** Made it unlawful to use a misleading or deceptive picture, diagram or other illustration on a package, label or advertisement. Died in Assembly committee.

**AB 2625 (Alquist).** Gave consumers remedies in cases of deceptive selling practices. Referred to interim study by Assembly committee.

**\*AB 2638 (Meyers).** Provided for registration of motor vehicle repair shops and for the certification of journeymen auto mechanics; created state Board of Vehicle Repair to carry out purposes of legislation. Referred to interim study by Assembly committee.

**AB 2674 (Beilenson).** Required a guarantee or warranty to identify clearly the guarantor or warrantor, tell the nature and extent of the guarantee or warranty and disclose the limitations of the liability. Referred to interim study by Assembly committee.

**AB 2861 (Unruh).** In cases of willful violation of retail installment sales law, gave consumer right within six months from time of contract or 60 days after learning of the violation to cancel the contract and refuse to pay the seller or any financing company which has bought the contract. Also gave consumer the right in such cases to recover any money paid seller or holder of the contract. Passed Assembly by 65-3 vote, but died in Senate committee.

**AB 2862 (Unruh).** Protects rights of consumer when an installment sales contract is sold to a third party. Chapter 1602.

**AB 2863 (Unruh).** Outlaws any clause in an installment sales contract requiring the consumer to pay a penalty fee for lawfully exercising his right to cancel the contract. Chapter 1310.

**AB 2864 (Unruh).** Increases safeguards for installment purchases of \$50 or less; gives consumer same information on the essential terms of the contract as is required on contracts for more than \$50, although, unlike the larger purchases, the information need not be given in a single document. Chapter 1603.

**AB 2865 (Unruh).** Prohibited credit charges from being levied on revolving account purchases until 30 days had passed. Referred to interim study by Assembly committee.

**AB 2866 (Unruh).** As introduced, made unenforceable and void so-called "referral selling" of goods based on inducement offered by seller to give a rebate, commission, or other consideration to the buyer if he sells to third parties or gives information leading to a sale. As amended, and passed by Assembly on a 65-2 vote, prohibited retail installment sales contracts from containing referral selling provisions. Died in Senate committee.

**AB 2944 (Waldie).** As introduced, made it unlawful to substitute in any sale, any inferior or cheaper cut of meat unless the purchaser specifically agreed to such substitution, rather than without informing the purchaser that such substitution was being made. As passed by the Assembly, rewritten to provide that requirements established by state Board of Public Health for the labeling of fresh meat or meat products "shall conform, as nearly as the Board determines is practicable", in carrying out the purposes of the Pure Foods Chapter of the Health and Safety Code "to the requirements prescribed by regulation adopted by the United States Department of Agriculture for the labeling of fresh meat and meat products." As rewritten again in Senate and passed, adds sections to the Health and Safety and Agricultural Codes respectively, as follows: "The label of any meat or any meat product which is sold in this state shall conform to the requirements which are prescribed by the laws of this state, and the rules and regulations which are adopted pursuant to the laws of this state, relating to the labeling of meat and meat products." Chapter 1671.

**SB 316 (Short).** Prohibits misleading designations of quantity on packaged products, including such qualifying terms as "jumbo," "giant," "full," etc., which tend to exaggerate the amount of the product in the container. Chapter 584.

**SB 377 (Rattigan).** Requires that net weight appear on bread wrapper in lettering at least one-quarter inch high, and that the bread be clearly identified as "standard loaf" or "standard large loaf" in the same size lettering. Chapter 516.

**SB 378 (Rattigan).** Requires net weight statement on packaged products to appear on the principal display panel of a container, rather than the top or sides. Applies to most packaged goods except those in circular containers, petroleum products, and fruits and vegetables in containers where the quantity is expressed in terms of count rather than weight or measure. Chapter 903.

**SB 918 (O'Sullivan).** Provided that if food in a container is a solid, no free flowing moisture, juice, or other liquid, shall be included in the weight thereof as expressed in the statement on the container designating the quantity. Died in Senate committee.

**SB 1214 (Farr).** Enabled state Department of Public Health to move against any adulterated or misbranded cosmetic in California without having to wait for federal government to act first. Referred to interim study by Senate committee.

**SB 1272 (Farr).** Required labeling as "thawed product", meat, fish, or poultry that had been frozen but

was unfrozen before offered for sale. Referred to interim study by Senate committee.

**SB 1286 (Christensen).** Authorized Director of Agriculture to adopt and enforce regulations that would prevent deception in the baking and labeling of bread, such regulations to include the size of the loaves and the size of the pan bread is baked in. Was aimed at eliminating "balloon" loaves. Referred to interim study by Senate committee.

**SB 1292 (Short).** Establishes Bureau of Electronic Repair Dealer Registration with authority to regulate TV-radio-phonograph repair service dealers and spot-check dealers on a continuous basis. Requires service dealers to register annually; makes false and misleading advertising of repair services as well as fraudulent, deceptive, and grossly incompetent practices subject to penalties. Requires dealers at consumer's request to furnish written estimates of repair work to be performed and to give advance notice if actual work will exceed estimate. Among other things, permits consumer to make complaints directly to the Bureau, which would have authority to make informal adjustment of complaints. Bureau is also authorized to seek court injunctions to prevent dealers from continuing unlawful practices. Chapter 1492.

**SB 1362 (Christensen).** Provided for a return to the one pound and one and one-half pound loaf of bread. Also authorized sale of half-pound loaf. Referred to interim study by Senate committee.

**SB 1570 (Rees).** Limited the amount of moisture that may be added to canned ham; required label to read "water added." Passed Senate, but died in Assembly committee.

### Other Bills

**AB 270 (Carrell).** Permits holder of automobile conditional sales contract to clear any violation of provisions of law governing such contracts, without incurring a penalty, by returning any overcharge to the buyer within a specified time after the sale. Chapter 838.

**Assembly HR 219 (Gonsalves).** Provides for interim study of packaging of consumer food products. Resolution notes that current proliferation of package sizes and quantities makes price comparison difficult. Calls for study of need for legislation to require packaged food products to be sold in standardized quantities or sizes or to carry on the package the basic price per unit of weight or measure. Adopted.

**Assembly HR 268 (Willson).** Calls for interim committee study of wage attachments and execution of judgment. Adopted.



**SB 1432 (Collier).** Limits application of the provision that no deficiency judgment shall be granted after the sale of real property for failure of purchaser to complete his contract, or under deed of trust or mortgage given to secure payment of the balance of a purchase of real property, to cases where the security instrument is given to a vendor. Provides that where a mortgage or deed of trust is given to a lender for security of a loan which was used to pay all or part of the purchase price of a dwelling for not more than four families which is occupied entirely or in part by the purchaser, no deficiency judgment shall lie after any sale of such property; modifies provision that

where both chattel mortgage and deed of trust have been given for security of payment of balance of combined purchase of both real and personal property, no deficiency judgment shall lie at any time under any one of them, by providing that such is the case if no deficiency judgment would lie under deed of trust or mortgage on real property. Chapter 2158.

**SR 149 (O'Sullivan).** Calls for interim committee study of state laws on weights and measures and packaging. Declares that establishment of clear, uniform standards of weights and measures is essential to commerce and to our economy. Adopted.

## EDUCATION

In sharp contrast with recent sessions, the progress made at the 1963 general session in the field of education was unimpressive, and sketchy at best. The most significant innovation was the passage of **SB 115 (McAteer)**, establishing a two-year pilot program of special educational aid to children from economically and culturally deprived backgrounds. The program's limited scope initially is indicated by an appropriation for fiscal year 1963-64 that amounts to only \$346,000. As a step forward, however, the McAteer bill will be buttressed perhaps indirectly by another measure, **SB 170 (Rodda)**, which broadens the authority of the Commission on Equal Employment Opportunities for Teachers to provide advice and assistance to local school districts in working toward the elimination of de facto segregation.

The major fiasco in education of the general session was the failure, prior to adjournment, to produce a workable bill for increasing state school aid. This was largely due to the defeat of the Governor's tax revision program at the general session, necessitating a later special session (see **Taxes**). In the heat of intense political bickering, the 1963 general session adjourned without being able to reach a compromise between the Assembly's \$99.5 million package (**AB 888—Garrigus** and **AB 1000—Crown**) containing a county equalization formula, and the Senate proposal (**SB 883—Grunsky**), which provided a substantially smaller amount of state equalization aid but carried a noteworthy formula apportioning aid on the basis of average teacher's salary and classroom size. These measures were left dangling in free conference committee between the Assembly and the Senate.

### Special Session

The special session that followed very inadequately corrected only part of the damage with the passage of **SB 12 (Rattigan)**, which is listed separately at the end of this section as a special session measure. Although the legislature subsequently

provided sufficient tax revenues during the special session for a \$40 million increase in state school aid in fiscal year 1963-64, and \$60 million the following year, the amount of aid in **SB 12** was held down to an estimated \$25 million increase in each of the two fiscal years. It is recognized that the reduction of the school aid bill was conditioned by the failure to reach agreement on a countywide equalization tax to help offset the lopsided distribution of assessed values between school districts. However, part of the debacle must also be attributed to feelings among key legislators, especially in the Senate, that increased aid in the past has been diverted from its purpose of reducing classroom sizes. In this respect, both the recognition of the need for reform in the apportionment of school aid and the inability to reach agreement on such reform either among legislators or within the education profession were substantial factors in holding increased state aid appropriations below funds available.

On the negative side, renewed efforts to destroy the uniform state textbook law by allowing multiple adoptions at the local level were repulsed, along with attacks against the democratic base for the operation of our public school system. In the course of the session, the Senate also confirmed the reappointment of Thomas Braden as President of the State Board of Education in the face of heavy opposition from arch-conservative forces from the radical right.

In regard to legislation affecting teachers (See PUBLIC EMPLOYEES subsection of LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS) the legislature refused again to give any recognition to collective bargaining rights for teachers, but on the other hand, also turned its back on efforts to weaken the probationary teacher protections enacted into law in 1961 through the efforts of the Federation and the AFL-CIO Teachers.

(See also sections on SKILL DEVELOPMENT AND JOB TRAINING, CIVIL RIGHTS AND CIVIL LIBERTIES, and LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS— PUBLIC EMPLOYEES— TEACHERS.)

### Good Bills

**AB 464 (Waldie).** Authorizes school districts or, in certain cases, county superintendents of schools, to furnish special programs for educationally handicapped minors. Provides for reimbursement from state school funds of the excess expense incurred. Chapter 2165.

**AB 653 (Burgener).** Provides for program of special training for minors between ages of 8 and 18 who are severely mentally retarded. Chapter 2105.

**AB 843 (Casey).** Establishes procedures for county superintendent of schools, upon application of one or more school districts, to establish and maintain child care centers. Chapter 841.

**AB 1818 (Bee).** Established subsistence grants for state competitive scholarship and junior college reserve scholarship award winners who demonstrate financial need. Died in Ways and Means committee.

**AB 1853 (Milias).** Establishes a school district tax base for adult education. Increases maximum rate of school district tax by amount necessary to produce district's proposed expenditures for adult education purposes, less state apportionments and less any balance of revenue derived from such increase the preceding year. Limits such increase to 10 cents on each \$100 of assessed valuation. Chapter 1618.

**AB 2433 (Alquist).** Makes school district governing board meetings expressly open to the public under Brown Act. Requires agenda for each meeting to be posted, such posting to be at least 48 hours before a regular meeting, and 24 hours before a special meeting. Chapter 1302.

**AB 3082 (Mills).** Imposed withholding of a portion of basic state aid allowances from school districts which failed to comply with law in requisitioning state-adopted textbooks. Died in Assembly committee.

**ACA 5 (Rumford).** Reduced vote required for passage of school district bond issue from two-thirds to 60 percent. Passed Assembly by vote of 54-22, but died in Senate Committee. **ACA 29 (Crown),** similar in text, also died in Senate.

**SB 115 (McAteer).** Provides limited state aid to school districts undertaking special educational programs for culturally disadvantaged children, grades kindergarten through grade 12, directed to stimulation of their educational and cultural aspirations through such techniques as small classes for intensive teaching, extra efforts to improve study conditions at home and in the neighborhood, and through individualized and remedial teaching and counselling with parents. Creates 17-member advisory committee on compensatory education and office of consultant on compensatory education. Act expires, unless otherwise renewed, on June 30, 1965. Chapter 98.

**SB 170 (Rodda).** Continues in existence Commission on Equal Opportunities for Teachers in the Department of Education, and imposes additional duty on the Commission of advising and assisting school districts in problems involving ethnic distribution of pupils and school attendance areas. Appropriates \$25,000 to Department of Education for such purposes. Chapter 1799.

**SB 754 (Stiern).** Places maximum annual amount of state competitive scholarship award at not to exceed \$900 plus 90 percent of tuition and fees in excess of \$900 in \$100 amounts at college which award-winner will attend, rather than present limit of \$900. Provides that no annual award shall exceed the current maximum amount of \$900 until 1964-65 fiscal year. Limits awards under new schedule to \$1,500. Chapter 1878.

**SB 989 (Short).** Revises provisions relating to pilot child care centers for physically handicapped and mentally retarded children to authorize county superintendents of schools to establish such centers and to alter financial arrangements for the centers. Appropriates \$80,672 for pilot child care centers for physically handicapped and mentally retarded children. Chapter 2047.

**SB 1515 (Stiern).** Establishes formula for distributing \$20 million in bond funds for junior college construction voted in November 1962 general election. Chapter 1790.

**Bad Bills**

**AB 1079 (Greene).** Weakened present law requiring instruction in foreign language for elementary students in grades 6 to 8 by delegating authority on offering of such language to local school board. Died in Senate committee.

**AB 1155 (Collier).** Levied tuition fee upon students receiving higher education instruction in California. Died in Assembly Ways and Means committee.

**AB 1936 (Bagley).** Revised the provisions delineating relative spheres of authority of Superintendent of Public Instruction and State Board of Education, to give the Superintendent, rather than the Board, the general policy-determining powers in all areas other than those relating to elementary school textbooks and certain other instances. Generally made Board advisory to the Superintendent. Died in Assembly committee. (Bill was later completely re-written and used for other purposes relating to reorganization of school districts, and enacted into law.)

**ACA 2 (Dymally).** Provided for appointment of state Superintendent of Public Instruction by State Board of Education. Referred to interim study by Assembly committee.

**ACA 8 (Cologne).** Provided for the election of a four-member state Board of Education by districts, and required that the Board appoint the Superintendent of Public Instruction. Referred to interim study by Assembly committee.

**ACA 39 (Monagan).** Prohibited sale of bonds for state building construction or construction loans to school districts if total bonds authorized for that purpose exceed 125 percent of general fund income plus local repayments. Died in Assembly committee.

**SB 292 (Bradley).** Deleted foreign languages from prescribed courses of study in elementary schools. Died in Senate committee.

**Other Bills**

**AB 693 (Garrigus).** Allows State Board of Education to extend for one year, to September 15, 1964, the deadline for submission of Master Plan on school district reorganization, if it determines county committee seeking extension had made substantial progress in its studies on the plan, and that difficulties peculiar to that county or locality had prevented formulation of a satisfactory plan on or before former deadline. Chapter 197.

**AB 712 (Casey).** Excepts foreign language, rather than morals and manners, from subjects in which state Board of Education must adopt basic textbooks. Chapter 1051.

**AB 757 (Winton).** Allows school district to employ for various purposes people who hold service

credentials rather than teaching credentials. Provides people who are now employed in certain positions designated by state Board of Education as requiring supervision or administration credential, may continue in such positions after February 1, 1963. Revises functions encompassed within administration or supervision credentials. Chapter 840.

**AB 888 (Garrigus), AB 1000 (Crown), and SB 883 (Grunsky).** Proposed varying amounts of increased state aid to school districts under special distribution formulas. Died in Senate-Assembly conference committee after Assembly rejection of conference report following defeat of Governor's tax program in Senate. (See Special Session measure, SB 12-Rattigan, below.)

**AB 1031 (Winton).** As introduced, was classified as "Bad" bill, proposing "multiple adoptions" of state textbooks for local school district selection in place of traditional single adoption of elementary school textbooks. As amended and enacted, measure was rewritten to authorize state Board of Education in adopting basic textbooks to adopt separate books to meet various learning and language abilities of children in same age group or grade level. Also authorizes Board to adopt other textbooks and teachers' manuals. Requires Board to determine level of learning or language ability for which each book shall be used and quantities in which they shall be provided. Chapter 1961.

**AB 1850 (Casey).** Authorizes state Board of Education from 1965 to 1970 to exempt school district from requirement that foreign language be taught in sixth grade upon satisfactory evidence that such instruction would impose an unreasonable burden. Chapter 2010.

**AB 1874 (Casey).** Allows elementary district governing board to provide instruction in one or more foreign languages in addition to or in substitution of language specified by county Board of Education. Requires state Board of Education, on or before July 1, 1964, to adopt rules for exclusion or exemption of pupils from foreign language requirement and allows district governing board to exempt pupils in accordance therewith. Limits such exemptions or exclusions to prescribed categories of pupils. Chapter 2011.

**AB 3112 (Unruh).** Makes it unlawful, without prior consent of school authorities, to use electronic listening or recording devices in public school classrooms. Chapter 1616.

**SB 79 (Stiern).** Creates teachers' professional standards commission composed of 13 members

appointed by state Board of Education for four year terms, with Superintendent of Public Instruction serving as member and chairman. Provides for commission to serve in advisory capacity to Board, and to recommend standards and policies for licensing certificated school personnel. Changes Commission on Credentials to Committee on credentials, and places Committee within Department of Education. Allows state Board of Education to assign to committee such administrative duties as Board sees fit relating to granting, issuing, suspension, and revocation of credentials and life diplomas. Chapter 1748.

**SB 287 (Grunsky).** Delays effective date of 1961 Fisher bill setting up new credential requirements for teachers and other certificated personnel until January 1, 1964. Chapter 500.

**SB 417 (Rodda).** Contains same postponement of operative date of Fisher credential bill as in SB 287, above, but also revises various other sections which refer to present types of credentials, to include a reference to new types of credentials that would be issued on and after January 1, 1964, in addition to other changes. Chapter 1033.

**SB 718 (Grunsky).** Revises, reorganizes, and makes extensive substantive changes in provisions of Education Code relating to local educational agencies and organization and reorganization of school districts. Chapter 629.

**SB 993 (Grunsky).** Adds adult schools to designated schools to be considered secondary schools. Provides that evening high schools and junior colleges may be designated as adult schools, and that adult schools shall be for classes for adults. Chapter 887.

**SB 1099 (Donnelly).** Requires any bidder who

submits elementary textbook for evaluation by state Curriculum Commission to submit detailed specifications of type, quality, size, and other physical characteristics of paper, binding, print and other physical components of book. Requires bidder, if textbook is adopted and purchased in complete form by the state Board of Education, to comply with specifications. Requires Department of Finance, if textbook is adopted under lease-plate contract, to follow comparable specifications in manufacturing book. Authorizes changes in specifications on approval of state Board of Education. Chapter 1769.

### 1963 Special Session

**SB 12 (Rattigan).** Increases from \$201.36 to \$208.44 (in 1963-1964) and \$208.58 (1964-1965 and thereafter) the gross maximum fiscal year amount per pupil in average daily attendance in all grade levels in the state to be transferred to state School Fund for apportionment for public school support, to be devoted principally to increasing equalization aid and special education allowances; increases all foundation program levels of support; and increases from \$42 to \$45 per pupil instructed maximum amount to be provided for automobile driver training. Revises formulas for apportionment of state School Fund to place them on current basis, requiring use of current levels of assessed valuation and average daily attendance and eliminating apportionments for current growth in enrollments; revises formulas for computing allowances for pupil transportation, project-connected pupils, and county school service funds; and provides for supplemental support for less wealthy districts for elementary and high school levels and eliminates present "alternate foundation program" formulas. 1963 Special Session. Chapter 14.

## ELECTIONS

Although efforts to reimpose cross-filing and a bitter hassle within the Democratic party over "unofficial" primary endorsements were the principal Election Code issues that received widespread publicity, a number of significant Code changes were effected during the 1963 session. Of the more than fifty bills that became law, perhaps among the most important from labor's standpoint were three bills to extend from 7 p.m. to 8 p.m. the time polls are open on election day.

The bill that sought to reinstitute cross-filing to the detriment of party responsibility (**SB 340—Schrade**) was defeated in the Senate by a vote of 20 to 19 only after strenuous efforts to secure its defeat were undertaken by the Federation. Other

groups that also opposed it were apparently willing to risk Senate passage and rely on the Assembly for its defeat.

A bill (**AB 2922—Johnson**) severely curbing the

effectiveness of "unofficial" party endorsements in primaries was enacted into law with the vigorous support of the Assembly speaker. It is recorded below as a "Bad" bill because of a "censorship" quality that is only one step removed from interference with endorsements of other private organizations, such as COPE units.

The session also produced legislation (**AB 3042 —Bane**) providing for primaries in special elections, but it falls short of assuring a runoff between the nominees of the respective parties.

(See also **SB 658** under LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS — ALCOHOLIC BEVERAGES.)

### **Good Bills**

**AB 269 (Petrís).** Authorizes county clerk to insert memoranda necessary or convenient for his use in the body of voter registration affidavits as well as upon top margin and declares that such memoranda that are not related to the requirements of Section 310 of the Elections Code shall not be deemed a portion of the affidavit. (This is permissive legislation which could be used by county clerks to add social security numbers or other brief identifying symbols to registration affidavits to augment the use of computers in checking the registrations of eligible voters.) Chapter 175.

**AB 295 (Bane).** Provides new method of changing an affidavit of registration from one precinct to another without the necessity of a voter executing a new affidavit of registration. Requires clerk to accept U. S. Post Office change of address card. Sets up procedures for clerk to correspond with voter to establish the fact that his move is permanent and not temporary. Holds voter's affidavit in suspension until reply is received from voter. Chapter 1536.

**AB 574 (Z'berg).** Requires, until Jan. 1, 1965, that envelopes containing sample ballots have printed thereon notice informing voters of their right to vote by means of absentee ballot, and stating where and by when applications for absentee ballots may be submitted. Permits election officials to deplete existing supply of envelopes before using envelopes containing notice. Chapter 553.

**AB 1116 (Crown).** Prohibits placing of signs relating to voters' qualifications or speaking to a voter on the subject of his qualifications within 100 feet of a polling place. Chapter 1171.

**AB 1195 (Petrís).** Requires counties using voting machines in all precincts to remain open until

8:00 p.m. on election day. If voting machines are used in less than all precincts the Board of Supervisors may, by resolution prior to publication of the notice of election, provide that all polls remain open until 8:00 p.m. Chapter 723.

**AB 1537 (Danielson).** Provides that counties with a population exceeding 300,000 shall keep the polls open from 7:00 a.m. to 8:00 p.m. on any election day. Chapter 940.

**AB 1761 (Petrís).** Allowed registration of voters until the fifth day before general elections and provided for special voting arrangements. Died in Assembly committee.

**SB 747 (Dolwig).** Allows the Board of Supervisors of any county as well as the election board of any city or county to provide by resolution that the polls shall be open from 7:00 a.m. to 8:00 p.m. on election day, including primary elections. Chapter 507.

### **Bad Bills**

**AB 2922 (Johnson).** Prohibits state and county central committees and state conventions from supporting or endorsing candidates for party nominations at direct primary election. Requires that printed or duplicated matter, and paid advertisements on radio and television be accompanied by a statement that endorsement is by an "unofficial political group" if the group so advertising or issuing printed material bears the name of the party in its name. Passed Assembly by 45-28 vote, and Senate by a 21-13 vote. Chapter 1108.

**ACA 19 (Thelin).** Provided for election of state officers and legislators in odd-numbered years. Defeated on Assembly floor.

**AJR 7 (Conrad).** Petitioned Congress to propose, or call a convention to propose, amendments to the U.S. Constitution abolishing judicial jurisdiction in controversies relating to apportionments of state legislatures and exempting such apportionments from restrictions or limitations imposed by U.S. Constitution. Died in Assembly committee.

**SB 340 (Schrade).** Reinstated cross-filing for partisan offices in direct primary elections. Defeated on Senate floor by 20 to 19 vote.

### **Other Bills**

**AB 1329 (Willson).** Changes the time in which those confined to a hospital, sanatorium or nursing home may request absentee voter ballots after the final day for making application. Chapter 1266.

**AB 3042 (Bane).** Requires an election proclama-

tion to fill a vacancy in Congress or the legislature at least 30 days before the general election, and at least 70 days but not more than 180 days before a special statewide election or a special election; provides for the holding of a primary election on the fourth Tuesday before the day of the special election to fill the vacancy; provides that all candidates shall be listed on one ballot and that if any candidate receives a majority of the vote at such primary, that no special election shall be held; provides that if no candidate receives the majority

of the votes at the primary, the candidate of each qualified political party receiving the highest vote shall be placed on the special election ballot as the candidate of that party. Chapter 2003.

**SB 191 (Grunsky).** Permits return of absentee voter ballots up to 5:00 p.m. the day before election instead of not less than three days before the election and permits persons who have applied for and received absentee voter ballots to vote in person up to 5:00 p.m. on the day before the election in the county or city clerk's office. Chapter 414.

## EMPLOYMENT AGENCIES, PRIVATE

The private employment agencies renewed their attempt to nullify the protections afforded to job-seeking persons by the Labor Commissioner. Following the pattern of the past, legislation was introduced to emasculate the private employment agency law by providing for regulation under a licensing board dominated by the agencies. This quest for "self-regulation" and other industry attempts to secure even greater advantages over purchasers of jobs were stopped in the Senate.

The only successful piece of industry legislation was the broadening of the exempted activities of agencies such as Manpower, Inc., and others specializing in temporary and part-time employment services to third party employers.

### Bad Bills

**AB 2009 (Kennick).** Required applicants for employment agency license to secure endorsement of good moral character from an active licensee. Amended to require a "personal conference" between applicant and licensee, and passed Assembly by a vote of 66 to 1. Referred to interim committee study by the Senate.

**SB 1010 (Farr).** Allowed agencies to collect a fee from persons who eventually secure a job on their own from an employer to whom the agency had referred the person as much as 9 months earlier. Referred to interim committee study by the Senate.

**SB 1037 (Gibson).** Shifted regulation of private employment agencies from Labor Commission to a proposed

Employment Agency Licensing Bureau under the direction of the Director of Professional and Vocational Standards. Referred to interim committee study by the Senate.

**SB 1227 (Bradley).** Removed provision for referral of disputes between employment agencies and their clients to arbitration by Labor Commissioner and repealed the authority of the Labor Commissioner over such disputes. As amended to refer disputes involving fees of \$100 or less to the Labor Commissioner, died in Senate committee.

**SB 1620 (Miller).** Expands the 1961 exemption providing that private agencies furnishing placement in part-time service to or under the direction of third parties (Western Girl, Manpower, Inc., and others) are not employment agencies and hence not subject to regulation as such. Legislation in 1961 permitted exemption for placement only in business offices or industrial establishments. Chapter 1392.

## HEALTH INSURANCE

The actions of the 1963 session of the legislature in the health insurance field reflected a pattern of continued subservience to the vendors of health care services. In the determination of key legislative leaders to placate these special interests, nothing was done to protect the purchasers of hospital and medical care plans, or to establish a base for an adequate system of comprehensive, prepaid health care services for all residents of the state.

The session was characterized by defeat of the two Federation-sponsored bills on the subject. **\*AB 2644 (Song)**, establishing a health care program for the general population, on the social insurance

principle, was sent to interim study by the Assembly Committee on Finance and Insurance. **\*SB 1150 (Collier)**, providing a health care program for



the aged in California who received social security benefits, was sent to the interim committee by the Senate Committee on Insurance and Financial Institutions.

While resisting these constructive efforts, the legislature did not hesitate to extend extraordinary assistance to vendors of private insurance plans with the passage of **SB 1122 (Rattigan)**. This ill-conceived measure suspends anti-trust laws to enable private insurance companies to form cartel-like arrangements for the sale of health insurance to the elderly. It is patterned after similar legislation in the East which the insurance industry is pushing to block health care for the aged under social security. The experience with such plans in the East indicates that the cost of coverage would approach \$500 a year, which is far beyond the reach of the average aged person or couple.

(See also LABOR CODE CHANGES, GENERAL; PUBLIC HEALTH; and LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS.)

### Good Bills

**\*AB 2644 (Song)**. 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.

**\*Assembly HR 57 (Knox)**. Requires an interim committee study of the costs of providing medical care and hospital care, as well as the cost of premiums for policies of insurance providing medical and hospital care. Adopted.

**\*SB 1150 (Collier)**. Established a state health care program to provide hospitalization, nursing and surgical insurance for persons entitled to receive social security

benefits under a program to be administered by the state Department of Employment and financed by employers through a one per cent contribution on employee payrolls up to \$6,000 annually. Died in Senate Committee.

### Bad Bills

**AB 1911 (Knox)**. Established a Health Care Plan Board and provided for the licensing of health care plans and agents. Exempted from bill many service groups that measure was supposedly designed to reach, while covering groups, such as negotiated trust funds, that are already regulated under federal statute. Died in Assembly committee.

**AB 2089 (Knox)**. Similar to AB 1911 above; also required that the state Board of Health contain a physician whose practice consists primarily of services to members of health care plans. Died in Assembly committee.

**AB 2934 (Flournoy)**. Reduced rate of taxation on insurers with respect to gross premiums received arising out of any "Insured Employees Welfare Benefit Plan." Referred to interim committee study by the Assembly.

**AB 3101 (Stevens)**. Prevented duplicate payment of disability, medical and hospital benefits when disabled person has purchased or is covered by more than one policy. Referred to interim committee study by the Assembly.

**SB 1122 (Rattigan)**. Suspends anti-trust laws to enable private insurance carriers to form cartel-like arrangements for the sale of health insurance to the elderly. Chapter 2055.

### Other Bills

**AB 2182 (Mills)**. Placed vendors of medical and hospital care service plans (Kaiser, Blue Shield, and others) under regulation by the Insurance Commissioner. Died in Assembly committee.

**AB 2291 (Knox)**. As introduced, required registration of health care service plans with the Attorney General and authorized action against deceptive practices. As amended to prohibit rate regulation, passed the Assembly but died in Senate committee.

## HOUSING AND URBAN REDEVELOPMENT

One of the greatest disappointments of the 1963 session was the failure of the legislature to do anything to implement the bold recommendations of the Governor's Commission on Housing Problems, aimed at mobilizing the state's resources to supplement federal housing programs and provide low and middle income housing within balanced communities without discrimination or income stratification. The session's omission is made particularly important because the effective implementation of the Fair Housing bill passed by the legislature (see CIVIL RIGHTS section) requires a vast increase in the supply of low and middle income housing to meet the needs of families who are today priced out of the housing market. For this reason, among many others related to the housing of California's

future population, enactment of a state economic housing program was considered vital.

It wasn't until late in the session that a greatly watered down bill aimed at implementing some of the far reaching recommendations of the Gover-

nor's Housing Commission was introduced at the request of the governor's office. The bill, **AB 2976 (Z'berg)**, at best was an extremely modest step forward toward an economic housing program for California. It created a state Housing and Community Development department, but generally restricted the department's activities to pressing for modifications in federal legislation to meet California's particular housing needs. Behind it was a meager \$2 million appropriation in the state budget to allow the new department to lend funds for experimental low-cost housing developments to suitable sponsors and to assist redevelopment programs where relocation problems exist. But this was purely experimental, and the bill was without any basic program authority to meet the pressing problems of low and middle income families.

Even in its emasculated form, the Z'berg bill was bitterly fought by the Savings and Loan Associations, the banks and other financial interests. The measure passed the Assembly, but was dumped in the Senate by the Committee on Insurance and Financial Institutions in response to the opposition of the community of financial groups opposing it. This action was taken only a few days before the end of the session. The governor's office attempted to obtain reconsideration of the committee's action, but without success.

In other respects, there was very little significant action regarding state housing laws. Several changes were made in laws controlling the operation of redevelopment agencies to remove some of the procedural road blocks which continue to hamper the implementation of federal programs at the local level. All of these changes, however, are necessarily of limited importance because of the great lack of programs for the construction of housing for families with limited means.

In a broader context, urban affairs legislation also received considerable attention. A series of proposals, approved by the legislature at the request of the governor and concerned with growth problems in metropolitan areas, are covered under the section on **STATE AND LOCAL GOVERNMENT**. (See also **AGRICULTURAL LABOR**, and **CIVIL RIGHTS AND CIVIL LIBERTIES**.)

### Good Bills

**AB 892 (Petrís)**. Authorized public housing authority to manage and operate housing developments for moderate income families and elderly persons which are

undertaken by non-profit groups utilizing federal housing programs. Died in Assembly committee.

**AB 894 (Petrís)**. Revises and extends the powers of local housing authorities to cooperate in the joint exercise of their powers. Chapter 529.

**AB 1943 (Petrís)**. Improves procedures of community redevelopment law regarding notice of public hearing on proposed redevelopment plan, submission of plan to the legislative body of the community, and relocation of displaced occupants of housing facilities in a project area. Chapter 1343.

**AB 2898 (Foran)**. Authorized the Department of Public Works to make relocation payments to tenants of low cost housing projects who are displaced by acquisition of property for state highways. Referred to interim study by Assembly committee.

**AB 2976 (Z'berg)**. Created state Housing and Community Development Department, constituting the existing Division of Housing, a new Division of Housing Development and an Advisory Commission with labor representation. Authorized department to work with federal agencies to make federal programs more appropriate in California, and to assist sponsors and local governments in initiating and launching projects. Provided, regarding transfer provisions concerning the present Division of Housing, that existing budget, functions (code enforcement, licensing, etc.) and personnel of the Division would continue, but that the name of the Division would become the Division of Housing Standards and its functions would be closely coordinated with the new department's program. Carried a two million dollar item in the Governor's budget to allow new department to lend funds for experimental low cost housing development to appropriate sponsors and to assist redevelopment programs where relocation problems exist. Passed Assembly on 49-22 vote, but died in Senate committee.

**ACA 16 (Dymally)**. Repealed present constitutional requirement that voters must approve all low-rent public housing projects, and provided for construction of such projects on approval of local governing body. Died in Assembly committee.

**SB 524 (Holmdahl)**. Required that in every city and county there be a department or officer designated to be responsible for administration of the state housing law. Died in Senate committee.

**SB 525 (Holmdahl)**. Extended labor camp provisions regarding sanitary conditions to include labor camps with housing accommodations for less than five employees, as well as five or more. Established higher standards regarding sleeping places for employees, insect screening on windows and other exterior openings, and ceiling height in sleeping places. Appropriated \$80,000 to carry out Department of Industrial Relations' functions relating to labor camps. Died in Senate Labor Committee.

**SB 613 (McAteer)**. Amends community redevelopment law to delete requirement that the res-

olution designating a redevelopment area contain a finding that the area designated is a blighted area, redevelopment of which is necessary to effectuate public purposes declared by the redevelopment law. Chapter 213.

**SB 1563 (Geddes).** Provided for enactment of "Housing for the Elderly Act," utilizing the credit of the state through the issuance of bonds to assist elderly persons of low income to acquire homes, and to make loans for construction of low-rent housing for such persons. Died in Senate committee.

### **Bad Bills**

**AB 183 (Belotti).** Made state housing law inapplicable to any dwelling situated upon and containing 10 or more acres. Died in Assembly committee.

**AB 1364 (Donovan).** Amended the state housing law to prohibit enforcement officers of Division of Housing from entering any inhabited dwelling between 6:00 p.m. and 8:00 a.m. without consent of the owners or enter any dwelling in the absence of the occupants without possessing a judicial search warrant. Seriously weakened enforcement of state housing law. Passed by the legislature and successfully vetoed by Governor.

**AB 1509 (Davis).** Postponed the operative date of regulations adopted pursuant to the state housing law until two years after their adoption. Died in Assembly committee.

### **Other Bills**

**AB 463 (Waldie).** Makes numerous changes regarding home mortgages of Savings and Loan Associations. Among other things, permits maximum mortgage of 30 years, instead of 25 years, on single family dwellings; authorizes Savings and Loan Association to make loans on more types of improved real property; increases the percent of appraised valuation of improved real property from 60 to 70 percent, as amount of permissible unamortized loan which associations may make. Chapter 643.

**AB 855 (Zenovich).** Authorizes redevelopment agencies to increase their number from five to seven members under staggered terms of office. Chapter 171.

**AB 2918 (Mulford).** Permits city or county to request a hearing before state Housing Appeals Board to show cause for non-enforcement of state housing laws; requires a decision adverse to city or county, if such hearing is requested, before Department of Industrial Relations is authorized to enforce state housing law and rules and regulations promulgated thereunder within city or county. Chapter 1999.

**AB 3086 (Rumford).** Requires that redevelopment agencies extend reasonable preference to persons engaged in business in property area to re-enter in business within redeveloped area if they otherwise meet requirements prescribed by redevelopment plan. Chapter 1615.

**SB 600 (Regan).** Defines condominium. Provides for situations when condominium projects may be partitioned, for filing of subdivision maps with respect to such projects and for separate assessment of condominiums. Defines land to include space subject to limitations imposed and rights in use of airspace granted by law. Requires owner prior to any sale of condominium to record restrictions which shall be equitable servitudes and which shall be binding on all owners of condominiums. Specifies incidents of condominium grant when not otherwise specified. Chapter 860.

**SB 1059 (McAteer).** Makes appointment of Housing Authority Commissioners by the mayor subject to confirmation by the governing body, rather than only subject to such confirmation where under charter or general law or ordinance the members of other boards or commissions would be subject to confirmation. Chapter 2050.

## **INDUSTRIAL SAFETY**

The 1963 general session, in the industrial safety field, was marked by further progress in the enforcement of safety orders and in the handling of radioactive materials. The major problem of securing additional safety personnel for the Division of Industrial Safety, however, remains largely unresolved.

### **Good Bills**

**AB 545 (Gaffney).** Provides that an employee has a right to take action to collect wages after layoff or discharge for refusal to perform dangerous work if he notifies the employer within 10 days of layoff or discharge of his intention to file a claim for such wages; extends from 10 to 30 days the period in which such an employee may file such a claim for lost wages with the Labor Commissioner. Chapter 1240.

**AB 949 (Waite).** Establishes control in the Department of Public Health over certain dangerously radioactive materials; provides for decontamination and for enforcement of decontamina-

tion orders by impounding the radioactive object or premises under proper legal safeguards. Chapter 1254.

**AB 1338 (Waite).** Provides that the Labor Code section which exempts an employer or insurer who files a report of injury to an employee with the Division of Labor Statistics and Research, from making any similar report which is required by state law, does not exempt such an employer or insurer from reporting cases of excessive radiation exposure. Chapter 1094.

**AB 1799 (Foran).** Provides that an employer's gross negligence in failing to provide a safe place of employment is punishable by imprisonment for not more than a year, or by fine of from \$1,000 to \$5,000, where such gross negligence causes the death of an employee; provides that the death of an employee under such circumstances constitutes a cause for disciplinary action against a contractor's license. Chapter 1083.

**AB 2783 (Gaffney).** Provided a misdemeanor penalty for an employer who required or permitted an employee to work near high voltage lines without prescribed safeguards. As amended, made penalty inapplicable to tools

or equipment used by a "qualified electrical worker." Referred to interim committee study by the Assembly.

**AB 2896 (Foran).** Included certain presently excluded boilers within safety provisions. Amended to specifically exempt certain domestic type water heaters. Referred to interim committee study by the Assembly.

**SB 1326 (Begovich).** Prohibited operation of internal combustion engines in underground operations. Referred to interim committee study by the Senate.

### Other Bills

**AB 546 (Gaffney).** Adds Labor Code provisions relative to safeguards required for the safety of persons engaged in loading or unloading ships or vessels; provides that added sections shall not limit Division of Industrial Safety's safety orders; contains clause terminating the Act in September 1965. Chapter 928.

**AB 2462 (Rumford).** Makes various changes relating to radiation control; deletes provisions removes requirement that license fees be sufficient to cover costs of regulation; requires fee schedule for persons possessing radiation sources rather than for machines producing it; changes basis for apportionment of funds to participating agencies. Chapter 1736.

## LABOR CODE CHANGES, GENERAL

In the area of general Labor Code changes, the performance of the 1963 session varied widely depending upon both the scope of the legislative issue presented and the intensity of opposition on the part of the employer community affected. On the broader, fundamental issues, such as minimum wage legislation, the performance was nothing short of disgraceful. On narrower issues, where it was possible to break down the employer opposition through weakening amendments, the successes achieved were modest at best.

Federation-sponsored minimum wage bills, **\*AB 649** and **\*AB 650 (Bee)**, the latter proposing a long-overdue Fair Labor Standards Act for California, died in policy committee in the face of the tight control maintained over the Assembly Industrial Relations Committee by the lower house leadership. (See preface to section on LABOR UNIONS.)

Both of these Federation-sponsored minimum wage bills were fully applicable to farm workers, and as such, were vigorously opposed by growers as well as the balance of the combined employer lobby. Separate legislation confined to providing a minimum wage for farm workers (reported under

AGRICULTURAL LABOR) also failed to get beyond the legislative starting line in Assembly committee.

The nature of the progress made in this category of legislation is indicated by some of the bills listed below that were enacted into law. It should be noted, however, that the grouping here covers only those Labor Code changes that do not fall into the subject matter areas reported on separately in the Sacramento Story. This includes legislation reflecting a measure of progress that affects only segments of labor, as reported under LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS, and such other subject matter areas as SKILL DEVELOPMENT AND JOB TRAINING,

**INDUSTRIAL SAFETY, and EMPLOYMENT AGENCIES.**

On the negative side, however, the Federation was successful in fending off legislation that would have weakened protections for workers currently in the State Labor Code, which stands out among the more progressive in the nation.

**Good Bills**

**\*AB 319 (Davis).** Strengthens the Labor Code provisions governing security of wages in logging operations: includes logging contractors and sawmill operation contractors within the provisions requiring logging and sawmill operators to post bonds or provide other security for payment of wages. Increases to four weeks, the maximum time in which security must be posted. Chapter 178.

**\*AB 649 (Bee).** Established a state statutory minimum wage of \$1.50 per hour without provision for overtime pay or other features of the broader State Fair Labor Standards Act proposed in **\*AB 650**, below. Died in Assembly committee.

**\*AB 650 (Bee).** Provided for the establishment of a \$1.50 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 10 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 \$1.50 statutory minimum or maximum hours of less than those prescribed in the bill. Died in Assembly committee.

**\*AB 1531 (Williamson).** As introduced, provided that all employees shall be allowed time off for service on juries without loss of pay, while permitting deduction of the per diem pay received for jury duty. Ran into heavy opposition from employers on Assembly floor after receiving committee "do pass" recommendation. Amended on floor to restrict application of the bill to employers of 10 or more. Died on Assembly inactive file.

**AB 1746 (Davis).** As introduced, was essentially the same as **\*AB 1531**. Rewritten in committee to make it a misdemeanor for an employer to threaten to discharge or otherwise harass an employee for taking time off to serve on a jury. Referred to interim study by Assembly committee.

**AB 1749 (Warren).** As introduced and passed by the Assembly, required that employer who has entered into an agreement providing for payment into a health and welfare fund, pension fund or vacation plan shall furnish covered employees with an annual statement indicating whether and for what periods such payments have been made. As amended in the Senate and signed into law, requires such statement be furnished employee only upon written request of the employee. Chapter 898.

**AB 1750 (Warren).** Provides that wage statements furnished employees must state the period of time covered by each payment, the name or social security number of the employee, and name of employer, in addition to present requirement of itemizing all deductions. Chapter 1080.

**\*AB 2249 (Gaffney).** Authorized the Labor Commissioner to issue awards consistent with his findings for collection of wages, penalties, and demands of persons unable to employ counsel. Provided for enforcement of such awards by the Labor Commissioner. Died in Assembly Ways and Means committee after receiving policy approval from Industrial Relations committee.

**AB 2444 (Foran).** Provides that exemption from women's 8-hour law for executives, administrators and professional women shall require earnings of \$400 a month, instead of \$350 a month. Chapter 1734.

**AB 2483 (Meyers).** Declared that provisions on working privileges, restrictions, and hours of minors shall be "strictly enforced." Died in Senate committee after passage by Assembly.

**AB 2513 (Soto).** Provided a ten percent penalty when employer has willfully and wrongfully failed to pay wages to an employee who was discharged or quit, and then after commencement of action pays the wages. Died in Senate committee after Assembly passage.

**SB 12 (Collier).** Provided for time off for jury duty without loss of pay, the same as **\*AB 1531**. Died in Senate committee.

**SB 763 (Weingand).** As introduced, in actions to enforce wage claims and demands of less than \$200, provided that Labor Commissioner's determination that such claims and demands are valid,

due and payable shall be prima-facie evidence of such facts. As amended and signed into law, provides that in small claims court actions to recover employees' demand, the Labor Commissioner must certify that he has heard and determined the validity of the demand and that the sum demanded is found due and payable. Requires only that the certificate of the Labor Commissioner shall be considered by the small claims court but shall not, by itself, be sufficient evidence to support a judgment. Chapter 953.

### **Bad Bills**

**AB 950 (Cologne).** Exempted camp counsellors employed by organized camps from authority of the Industrial Welfare Commission to fix minimum wages for women and minors. Died in Assembly committee.

**AB 983 (Bane).** As introduced and passed by the Assembly by a 41-22 roll call vote, re-enacted a version of the so-called Defense Production Act, permitting employers in defense and space industries to work women up to 10 hours a day and 54 hours a week with overtime pay under a special "emergency exemption permit" issued by the Department of Industrial Relations. Amended in Senate to reduce maximum work week from 54 to 48 hours, and to authorize the Director of Industrial Relations to limit the work week to a five day week. Title of the Act was also amended to "Aerospace Industry Emergency Act." Died in Senate committee. (See also effort to revive defeated measure by amendment of SB 866, below, in Assembly.)

**AB 1407 (Garrigus).** Allowed minors, age 16 through 18, to be worked unlimited hours in processing or packing fresh fruits or vegetables. Died in Assembly committee.

**SB 651 (Nisbet).** Declared that provisions regulating payment of wages shall not prohibit an employer from paying wages by depositing them in a bank account maintained by the employee on request of the employee. Died in Senate committee.

**SB 866 (Bradley).** As introduced and passed by the Senate, amended the FEP law to permit the state and its political subdivisions to make inquiries as to a job applicant's place of birth on job application form. On Assembly side, after defeat of AB 983, above, measure was amended and completely rewritten in Assembly committee to incorporate provisions of Assemblyman Bane's "Aerospace Industry Emergency Act" permitting overtime employment of women beyond 8 hours a day. As so amended, SB 866 reached the floor of the Assembly, where the amendments were brought to light, and the bill sent to Ways and Means Committee for consideration of an implied administrative appropriation. Died in Ways and Means committee.

**SB 1158 (Schrade).** Undermined the women's 8-hour law by allowing overtime work up to 10 hours in one

day or 54 hours in one week with payment of time and one-half for hours worked in excess of 8 hours per day and 48 hours a week. Died in Senate committee.

### **Other Bills**

**AB 708 (Mulford).** Permits universities and colleges supported in whole or in part by state funds to employ aliens as professional librarians. Chapter 169.

**AB 821 (Elliott).** Prohibits employer, his agent or representative from requiring any employee or job applicant to agree, in writing, to any term or condition which is known by the employer, his agent or representative to be prohibited by law. Chapter 559.

**AB 836 (Frew).** Provides that when employer who has no permanent place of business in the state enters into employment contract for services to be rendered in the state and the payment for services involves commissions, the contract must be in writing, setting forth the method of computation and payment. Requires copy to be given to all employees who are party to the contract. Makes certain exemptions, and provides that employer who fails to comply shall be liable to employee in civil action for treble damages. Chapter 1088.

**AB 927 (Knox).** Prohibits employers from demanding or requiring employees or applicants for employment to take a polygraph or lie detector test as a condition of employment. Exempts federal, state and local governments or their agencies from the prohibition. Measure was seriously weakened before release from Assembly committee by an amendment removing an original prohibition against requesting a job applicant to submit to the lie detector, thus indirectly sanctioning "voluntary" submission. A job applicant is seldom in a position to resist the pressure to take the lie detector test. Chapter 1881.

**AB 1109 (Zenovich).** Exempts student assistants and interns in state and county public social service training programs from the prohibition against employment of aliens. Chapter 429.

**AB 1559 (Cusanovich).** Provides, as an exception to provisions specifying maximum hours for smelter and underground employees, that in the case of emergency above-ground repairs or replacements, employees engaged in the repairs or



replacements may be employed for longer hours than those specified in Labor Code section 750. Chapter 896.

**AB 2434 (Conrad).** Prohibits a minor from disaffirming a contract with theatrical or motion picture employment agency or artist's manager after coming of age, as well as during his minority. Revises prohibition against minor disaffirming contracts to apply to a contract to secure minor en-

gagement to render artistic or creative services in motion pictures, television, phonograph record production and theatre, including a wide range of enumerated services, rather than a contract to secure minor engagement as an actor, performer or entertainer. Chapter 1885.

**AB 2941 (Waldie).** Exempts school bus drivers from provisions prohibiting employment of aliens by public bodies. Chapter 1670.

## LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS

As in past sessions, a substantial number of bills affecting labor that were introduced at the 1963 session were of immediate and specific interest to affiliates in a given industry or occupational group. The Federation, in addition to introducing several bills of this nature in accordance with convention actions, sought to keep affiliates informed of pending legislation through the regular printing of bill digests and notices of committee hearings in the Weekly News Letter, as well as by personal contact, and further endeavored to assist representatives of affiliates who were in Sacramento for the session or came to the Capitol occasionally in regard to specific legislation.

The wide variety of legislation reported on below, much of which falls in the category of "bread and butter" importance to the organizations affected, is grouped for the convenience of affiliates to facilitate evaluation of the session's achievements and failures. Understandably, the legislature's performance was uneven, varying widely between categories, and reflecting both the level of opposition incurred from employer groups and many other significant factors.

In general, study of the bills listed will indicate considerable progress in specific areas which was absent in other areas, and that was also wholly lacking in regard to basic labor legislation affecting the labor movement as a whole.

(See also LABOR UNIONS; LABOR CODE CHANGES, GENERAL; CONSUMER PROTECTION, SKILL DEVELOPMENT AND JOB TRAINING, SOCIAL INSURANCE PROGRAMS, and MISCELLANEOUS sections.)

### Alcoholic Beverages

#### Good Bills

**AB 803 (Song).** Provides that after filing of application to engage in sale of alcoholic beverages, rather than within five days after such filing, notice of intention to commence business shall be posted on business premises. Chapter 784.

**AB 1284 (Song).** Requires Department of Alcoholic Beverage Control to have minor present at hearing on accusation charging licensee with sale of alcoholic beverages to minors, or permitting minors to consume alcoholic beverages on licensed premises, or employment of minors, or permitting minors to remain on licensed public premises, unless licensee has waived, in writing, appearance of minor. Chapter 1562.

**SB 658 (Burns).** Limits prohibition against sale of alcoholic beverages during elections to statewide elections. Deletes prohibition against sale during city or county elections. Chapter 662.

#### Bad Bills

**AB 234 (Britschgi).** Prohibited sale of alcoholic beverages after 12 midnight, rather than 2 a.m. Died in Assembly committee.

**AB 812 (Danielson).** Made employee of licensee guilty of a misdemeanor for permitting a minor to enter and remain on a licensed premise without lawful business. Died in Assembly committee.

**SB 892 (O'Sullivan).** Granted to persons who are killed, or injured in person or in property by an intoxicated person, or to heirs of such persons, the right of ac-

tion against anyone who by illegally selling or giving beverages to the intoxicated person caused the damage or injury sustained. Died in Senate committee.

### Other Bills

**AB 729 (Petris).** Provides that no on-sale licensee of alcoholic beverages, rather than no on-sale general licensee or on-sale general licensee for seasonal business, shall knowingly employ any person to manage, direct, or conduct business who does not have qualifications required of holder of license. Chapter 1000.

**AB 758 (Booth).** Limits time for filing action for judicial review of final order of alcoholic beverage control appeals board to 30 days after final order is delivered or sent by registered mail to parties. Chapter 305.

**AB 2173 (Donovan).** Limited number of on-sale licenses that may be issued in a city to one for each 2,000 inhabitants. Also limited off-sale licenses therein to one for each 2,500 inhabitants. Referred to interim study by Assembly committee.

**AB 2174 (Donovan).** Authorizes Department of Alcoholic Beverage Control to deny application for a license if issuance would tend to create law enforcement problem or if issuance would result in undue concentration of licenses, and applicant fails to show that public convenience or necessity would be served by issuance of the license. Chapter 1642.

**AB 2972 (Veneman).** Provides that no off-sale licensee shall sell alcoholic beverages by telephone order unless upon delivery the recipient is able to furnish proof of age and identity to indicate that he or she is over 21 years of age. Chapter 1410.

## Barbers and Cosmetologists

### Good Bills

**AB 985 (Bane).** Deleted provision in barbers' law permitting barbers who have applied for an instructor's certificate to temporarily act as instructors. Died in Assembly committee.

**AB 986 (Bane).** Prohibits practice of barbering forever on an apprentice license by requiring that apprentice barber must take the examination to become a registered barber within two years from date he secures his apprentice license. Upon failure of examination, establishes procedure for re-examination. Chapter 690.

**AB 987 (Bane).** As amended and passed, for-

mally recognizes barbers' apprenticeship program under Shelley-Maloney Act in barbers' law. Qualifies requirement that an applicant for certificate as barber must practice as an apprentice for 18 months by providing that a registered apprentice who completes 12 months under a Shelley-Maloney program may apply for a barber's certificate in 15 months. Chapter 248.

**AB 988 (Bane).** As amended and passed, authorizes state Barbers Board, on a second or subsequent suspension or revocation of a barber shop license for violation of sanitary protections, to post a sign on the shop stating the reasons why the certificate was suspended or revoked. Original bill, prior to amendment, made this mandatory. Chapter 741.

**AB 3087 (Meyers).** Extended to students enrolled in schools of cosmetology or electrology, protections of Labor Code and the minimal wage orders of the Industrial Welfare Commission. Referred to interim study by Assembly committee.

**Assembly HR 616 (Kennick).** Provides for interim committee study of cosmetology schools. Adopted.

**SB 570 (Stiern).** Provides for determination of good moral character at time of enrollment rather than at time of graduation from barbers' college. Chapter 679.

### Other Bills

**AB 1599 (Meyers).** Provided for a population ratio for new cosmetology schools. Amended several times and passed Assembly on 41-12 vote. Died in Senate committee.

**AB 1600 (Meyers).** Provided for a manager-cosmetologist license within one year of internship after graduation from a cosmetology school as a licensed cosmetologist. Died in Assembly committee.

**AB 3010 (Britschgi).** Deletes provisions in cosmetology act requiring applicants for licensing to pay an initial fee and to increase the maximum amount of various fees paid by applicants. Chapter 1610.

**SB 824 (Stiern).** Modifies provisions for assignment of inspectors within Department of Professional and Vocational Standards. Among other things, deletes provision requiring inspectors of cosmetology establishments to have at least three years of experience as a licensed cosmetologist. Chapter 1907.

## Commercial Fishermen

### Good Bills

**AB 272 (Thomas).** Extends from October 1, 1963, to October 1, 1965, the sardine season established in 1961 for reduction plant or factory uses. Chapter 411.

**AB 583 (Young).** Authorizes refunds by the Department of Fish and Game of funds erroneously collected without requiring approval of the State Board of Control or requiring payment through State Controller. Chapter 1241.

**AB 818 (Thomas).** Prohibits use of long lines, except troll lines otherwise authorized to be used, to take salmon. Chapter 1087.

**AB 1902 (Badham).** Provides for staggered, 4-year terms for members of Marine Research Committee, rather than 2-year terms. Chapter 1183.

**AB 2936 (Thomas).** Authorizes use, except on weekends, of purse and round haul nets for commercial fishing off Catalina Island in a previously closed area of District 20. Chapter 2006.

**SB 18 (Farr).** Authorizes use north of Point Conception of prawn or shrimp traps not to exceed 6 feet in greatest dimension and with no opening greater than 5 inches in any dimension. Chapter 14.

**SB 135 (Farr).** Extends privilege tax on handling of designated fish from December 31, 1963, to December 31, 1965. Chapter 1141.

**SB 1521 (Schrade).** Provides Fish and Game Commission may authorize use of powered equipment to take crustaceans for commercial purposes under revocable permit pursuant to such regulations as the Commission shall prescribe, subject to present seasons, size, bag limits, and sale prohibitions. Chapter 2086.

### Bad Bills

**AB 2738 (Badham).** Prohibited taking of anchovies for use in reduction or extraction process. Referred to interim study by Assembly committee.

**SB 503 (Cameron).** As introduced, allowed Fish and Game Commission to authorize use of any type of net, trap, line, spear, or other appliance not authorized by the Code if it is determined that such use will not endanger any fish resource and will aid in proper utilization of the fish resource. As amended and enacted, authorizes the Commission to issue revocable permits to use newly de-

veloped type of fishing gear or newly developed method of using existing fishing gear in waters of the Pacific Ocean, subject to regulations of the Commission. Authorizes use of set gill nets, except for taking salmon, in District 10 south of Point Reyes, until October 1, 1965. Chapter 2030.

### Other Bills

**AB 792 (Kennick).** Revises boundaries of Districts 19 and 19B. Provides that bait nets may be used to take fish for bait only in Districts 6-13 inclusive, 15-19, 19A, 19B, 20A, 21, 118 and 118.5. Provides such nets used to take specified fish for bait in District 19B may not be used within 750 feet of Seal Beach pier, Belmont pier, or Rainbow pier, rather than within such distance of any pier, wharf, jetty or breakwater. Chapter 617.

**AB 2760 (Thomas).** Authorizes Commission to prohibit taking or possessing tuna in same manner as taking or processing tuna is prohibited by federal law or regulation pursuant to Tuna Conventions Act of 1950. Chapter 1598.

**ACA 25 (Hinckley).** Proposed election of Fish and Game Commission from designated areas of the state every four years on a non-partisan basis commencing with the 1966 election. Referred to interim study by Assembly committee, along with AB 1644 on the same subject.

**SB 413 (Farr).** Provides that forfeiture of bail constitutes conviction for purposes of suspending license privileges and forfeiture of apparatus used to illegally take fish or game. Chapter 517.

**SB 1006 (Farr).** Establishes described areas of Pacific Grove as Pacific Grove Marine Gardens Fish Refuge. Permits taking of fish, other than mollusks and crustaceans, under specific conditions within designated areas. Chapter 1043.

## Construction Workers

### Good Bills

**AB 619 (Elliott).** As amended and passed, increased from \$10 to \$25, the amount which a public works contractor forfeits for each day he pays less than the stipulated prevailing wage rates. Adds new requirement that contractor also pay to workmen difference between stipulated prevailing wage rate and amount actually paid. Makes several changes in authority of Labor Commissioner to maintain court action to recover penalty against contractor, and requires that out of any money

withheld or recovered from the contractor the amount due to workmen shall be paid first, and that, if insufficient, the funds be prorated among all workmen. Original bill, prior to amendment, required governing body awarding contract to bring court action to enforce penalty provisions against contractors. Chapter 467.

**AB 774 (Beilenson).** Made contractor's licensing law applicable to owners who contract for a project with a licensed contractor. Died in Assembly committee.

**AB 775 (Beilenson).** As introduced, provided that contractor's licensing law does not apply to an owner who contracts for a project with a licensed general contractor, rather than any licensed contractor. As amended several times and passed, tightens somewhat exemption of owner-builder from contractor's law. Limits exemption to owner of property who builds or improves a structure, to an owner who contracts for such work with any licensed contractor, and to an owner who does such work himself or with his own employees with wages as sole compensation, provided that such structure is not intended for sale and contains no more than three dwelling units, one of which is to be the domicile of the owner-builder. (Formerly the law exempted an owner of property who builds or improves a structure for his own occupancy, provided the structure contains no more than three dwelling units in one of which owner resides.) Applies to construction begun after effective date of law. Chapter 1957.

**AB 804 (Mills).** Provided that provisions for prevailing rates on public works apply to any contractor who performs work, rather than just general contractor and first tier subcontractors. Required general contractor to submit specified information regarding all subcontractors. Died in Assembly committee. (See AB 2037 below, a construction industry bill enacted into law.)

**AB 963 (McMillan).** Requires state Division of Housing to impose minimum painting standards at least equal to those required by FHA and VA for home construction loans. Chapter 441.

**AB 1287 (Casey).** As introduced, provided that if an employer in the construction industry pays wages or fringe benefits with a bad check, the wages or fringe benefits will continue as a penalty from the due date of the check, but not for more than 30 days. Carries an amendment inserted before passage that allows an employer to avoid the penalty by satisfying the Labor Commissioner or a court of law that the act was "unintentional." Chapter 846.

**AB 1347 (Winton).** Declared that prevailing rate provisions on public works shall apply regardless of anything to the contrary in any other law. Died in Assembly committee.

**AB 1348 (Winton).** Broadened the definition of public works, in regard to prevailing rate provisions of Labor Code, to include reconstruction, remodeling, improvement, painting and clearing; also specifically included within definition any work by or for a political subdivision. Died in Assembly committee.

**AB 1373 (Kennick).** Required contractor, upon payment of wages, to furnish employees with itemized statement giving the employer's name and address, the employee's gross wages, all deductions, and all fringe benefits paid. Required contractor to keep supporting records for one year. Died in Assembly committee. (See AB 1749 and AB 1750 under Labor Code, General which were enacted into law.)

**AB 1616 (Monagan).** Amends public works sections of Labor Code for the purpose of requiring time and one-half for work beyond 40 hours a week as well as over 8 hours a day, but contains faulty language which may obscure or defeat this purpose. Also requires that records be kept of hours worked each calendar day and each calendar week; increases penalty for violation of maximum hours limitation from \$10 to \$25 a day. Chapter 964.

**AB 1786 (Henson).** As amended and passed, requires contractor to provide a \$1,000 bond or cash deposit as a condition of being issued licenses after January 1, 1964, and as a condition of renewal after July 1, 1965. Provides that bond is to be for the benefit of any person damaged by violation of the contractor's licensing law, any person damaged by fraud of the contractor in the execution of a contract, and any employee of the contractor damaged by his failure to pay wages. Chapter 1971. (See AB 1789, below, regarding tighter bonding provisions for contractors who have had their licenses suspended or revoked.)

**AB 1789 (Henson).** As amended several times before passage, revises bonding requirement for a contractor's license applicant who has previously had his license suspended or revoked as a result of disciplinary action. Among other things, increases from \$2,000 to \$3,000 the minimum amount of the bond. Provides that the alternative requirement of a cash deposit can be satisfied by depositing specified securities with the Contractors State License Board. Chapter 1972.

**AB 1813 (Quimby).** Defines contractor for purposes of contractor's licensing law to include a per-

son who contracts, alters, repairs, adds to, subtracts from, improves, moves, wrecks, or demolishes a parking facility. Chapter 972.

**AB 1814 (Quimby).** As introduced made it mandatory for a court to impose a fine or imprisonment on any person who is found guilty of acting as a contractor without a license. As amended several times and enacted, measure affects only second and subsequent violators; provides that court shall impose a fine of not more than \$1,000, or imprisonment in a county jail for not more than six months, or both, when a person has been previously convicted of acting as a contractor without a license. Chapter 1883.

**AB 1815 (Quimby).** Made the person who advertises as a builder, as well as one who advertises as a contractor, subject to the contractor's license law. Died in Assembly committee.

**\*AB 2107 (Meyers).** Provided that all state employees in construction, repair or maintenance work shall receive not less than the prevailing rate and fringe benefits paid to persons employed in like work in private industry. Would have restored to prevailing rates craftsmen who, in June 1956, were assigned to monthly range categories. Referred to interim study by Assembly Ways and Means Committee after receiving "do pass" recommendation from policy committee. (See also AB 2030 below.)

**\*AB 2111 (Meyers).** Provided that public works contracts in state may be let only to contractors and subcontractors licensed by the state. Established a mandatory ten percent preference for contractors and suppliers who met specified residence requirements. Sent to interim study by Assembly committee. (See also AB 2238 below.)

**AB 2112 (Johnson).** Allows general law cities to negotiate an increase in the amount paid to a contractor to cover an increase in the general prevailing rate of wages which may have occurred during a period of delay due to an attack by third parties on the authority of the city to enter such a contract. Chapter 126.

**AB 2127 (Meyers).** Includes in the term specialty contractor, any contractor whose operations are concerned with the installation and laying of carpets, linoleum and resilient floor covering, thus removing the requirement that the contractor be "principally" concerned with such installations. Chapter 1320.

**AB 2287 (Meyers).** Provided that public agency contracts for manufacture or furnishing of manufactured wood cabinet work be let to contractors who do business in the state and who pay wages not less than the pre-

vailing minimum wage as determined by the Director of Industrial Relations and who conform to an 8-hour day, 40-hour workweek standard. Referred to interim study by Assembly committee.

**AB 2630 (Beilenson).** Transfers to the contractor's license law the requirement that a city or county requiring a permit for construction work require also the filing of a statement that the contractor is either licensed or exempt from the license law. Makes the provision applicable regardless of the dollar amount of work and regardless of whether the applicant signs a certificate that his activity does not subject him to the workmen's compensation law. Chapter 1140.

**SB 868 (Bradley).** Makes it a misdemeanor for any county, instead of only counties of over 500,000 population, to willfully separate into smaller work orders any public work project to evade provisions requiring competitive bidding. Chapter 884.

**SB 869 (Bradley).** A companion measure to SB 868 above, prohibits cities from splitting a project to avoid competitive bidding. Chapter 885.

**SB 975 (Gibson).** Provides that the settlement by a licensed contractor of his lawful obligations for less than the full amount thereof by various means, including bankruptcy, shall be grounds for disciplinary action. Chapter 991.

### **Bad Bills**

**AB 1097 (Ashcraft).** Increased from \$4,000 to \$10,000 the amount of force account work that may be done by counties of over one million population without obtaining bids or letting contracts. Died in Assembly committee.

**AB 1913 (Knox).** Increases from \$3,000 to \$10,000 the maximum value of county highway contracts that may be let by counties of 400,000 population and over without calling for bids, or that may be performed by day labor. Chapter 974.

**SB 679 (Bradley).** Eliminated the requirement that the prevailing rate of wages shall be set forth in each call for bids on public works projects, and merely required a statement that prevailing rates will be paid. Died in Senate committee.

### **Other Bills**

**AB 993 (Casey).** Authorizes state college trustees to adopt rules and regulations for government and maintenance of buildings and grounds. Chapter 1091.

**AB 1098 (Ashcraft).** Allows counties with population of 900,000 or more, rather than 2 million or

more, to have purchasing agents engage independent contractors to perform sundry services costing \$6,500 or less. Chapter 719.

**AB 1135 (Henson).** Requires that accusations against licensed contractor be filed within three rather than two years after act or omission alleged as ground for a disciplinary action. Chapter 1258.

**AB 1173 (Knox).** Provided that a construction union with established collective bargaining relationships may represent employees in proceedings before the Labor Commissioner regarding the payment of wages. Passed Assembly, but died in Senate committee.

**AB 1460 (Winton).** Adds a specialty contractor to Contractor's State License Board, increasing number on Board from eight to nine. Chapter 1098.

**AB 1526 (Winton).** Requires that application form for issuance or renewal of contractor's license be signed by both applicant and by the "person" qualifying on behalf of the individual or firm. Defines "person" as being limited to a natural person. Chapter 1016.

**AB 1530 (Winton).** Requires applicant for contractor's license to show such degree of knowledge and experience in classification applied for, and such knowledge of contracting business as licensing board may require, rather than require him to show only such degree of experience and such general knowledge of contracting business as the board may require. Chapter 1017.

**AB 1828 (Quimby).** Increases fee for a certified copy of contractor's license from fifty cents to \$2.00. Chapter 1181.

**AB 1847 (Henson).** As amended several times and passed by legislature, prohibited the registrar of contractors from issuing a license unless the applicant can prove solvency and reasonable financial responsibility. Pocket vetoed by Governor.

**AB 2030 (Z'berg).** As introduced, established formula for use of State Personnel Board whereby compensation for construction trade craftsmen would be set in general accordance with the rate of prevailing wages and fringe benefits, giving consideration to collective bargaining agreements and rates that had been predetermined for state and federal public works within the locality of the nearest labor market. Amended to permit reduction of prevailing rate by "any extra fringe benefits paid by the state as compared to private employment," and to further generalize criteria for setting prevailing rate, and limiting any wage increase made necessary by the bill to a minimum of two times the average percentage wage increase granted other employees in any one year until bill becomes fully ap-

plicable. As so amended, referred to interim study by Assembly Ways and Means Committee following approval by policy committee. (See also \*AB 2107, above.)

**AB 2037 (Winton).** As amended numerous times and enacted into law, revises statutory provisions governing the letting and performance of subcontracts in connection with public works projects. Among other things, establishes procedure whereby a prime contractor who fails to obtain subcontractor bids may be permitted to sublet portions of the work after the contract is awarded. Also provides procedure for substitution of subcontractors in certain instances, and prohibits listing as the sole subcontractor another general subcontractor who then uses subcontractors, without their being listed. Chapter 2125.

**AB 2238 (Waldie).** As introduced, required that a public contract be awarded to an in-state, rather than an out-of-state manufacturer or contractor, when the bid of the in-state person does not exceed the out-of-state bid by more than 5 percent and the difference is attributable to a difference in wages of labor in the two states. Amended to place responsibility for determining prevailing wage differentials on public body awarding the contract. As so amended, with the emphasis on wages as being the only significant difference in costs, was passed by the Assembly. Died in Senate committee. (See \*AB 2111, above.)

**AB 2971 (Veneman).** As amended several times and passed by the legislature, required that where brand names are specified in the call for bids on public works contracts, there shall be listed at least three brands or trade names of items of comparable quality and utility. Pocket vetoed by Governor.

**AB 3062 (Meyers).** Makes wilful departure from or disregard of accepted trade standards for good workmanlike construction, in the absence of specific requirements within plans or specifications, a cause for disciplinary action under specific conditions. Chapter 1611.

**SB 436 (Weingand).** Establishes specified circumstances under which an application for an original contractor's license shall become void, and prescribes additional circumstances in which fees are to be treated as earned and not refunded. Chapter 160.

**SB 1477 (Nisbet).** Authorizes Director of Youth Authority to provide materials and facilities for construction by persons confined at the California Youth Training School at Ontario of one movable house per year, within specified limits on size, to be sold, with proceeds to be deposited in general fund. Chapter 1424.

## Dry Cleaners

### Good Bills

**AB 2916 (Crown).** Deleted exemption from the dry cleaning law for hotels or residence clubs which render any cleaning, dyeing, spotting, sponging or pressing services for their guests or employees only. Passed Assembly, but died in Senate committee.

### Bad Bills

**AB 2890 (Cusanovich).** Required that a certificate of registration be issued evidencing qualification to engage in one or any combination of the following: cleaning, spotting, pressing, dyeing, renovating, or operating a dry cleaning school; revised qualifications for obtaining a certificate; revised experience credit for training in an approved school; and made other related changes. Sent to interim study by Assembly committee.

**SB 61 (O'Sullivan).** Provided that an applicant for a dry cleaning agency license shall not be required to take the examination prescribed; stipulated a \$20 application fee. Died in Assembly committee.

**SB 347 (O'Sullivan).** Abolished the State Board of Dry Cleaners and eliminated the statutory provisions in reference to cleaning, dyeing, and pressing. Sent to interim study by Senate committee.

**SB 957 (O'Sullivan).** Exempted self-service dry cleaning establishments from the coverage of statutory provisions administered and enforced by the State Board of Dry Cleaners. Sent to interim study by Senate committee.

**SB 1000 (Miller).** As introduced, provided for issuance of a self-service dry cleaning license in compliance with regulations of the State Board of Dry Cleaners. As amended, required the presence of a competent adult person at all times in self-service dry cleaning establishment. Passed the Senate by a vote of 21-12. Referred to interim study by Assembly committee.

## Embalmers

**SB 486 (Stiern).** Authorizes the State Board of Funeral Directors and Embalmers to suspend or revoke certificate of apprenticeship when the holder has been convicted of a crime involving moral turpitude. Chapter 333.

**SB 1458 (Begovich).** Permits an apprentice embalmer to continue employment as an apprentice beyond the two-year limitation for specified reasons if he files an application with the State Board of Funeral Directors and Embalmers not less than 15 days prior to the date the applicant wants such extension to commence. Chapter 1421.

## Harbor Pilots

### Good Bills

**SB 36 (Gibson).** Increases bar pilotage rates for San Francisco, San Pablo and Suisun Bays from \$6.25 to \$6.50 per draft foot. Chapter 412.

### Bad Bills

**SB 815 (McAteer).** Provided that every vessel sailing under a register and being piloted by an officer whose license issued by the Coast Guard has a valid pilotage endorsement for San Francisco Bay and tributaries is exempt from one-half the pilotage fee unless a pilot is actually employed. Died in Senate committee.

## Outdoor Advertising

**AB 2245 (Z'berg).** As amended and passed by Assembly, banned most signs in an 800-foot corridor along each side of state or federal highways, with exemption for billboards in industrial or commercial areas; created a nine-member commission to decide on allowable service signs. Passed Assembly and sent to interim study by Senate Committee. Companion bill, **SB 1123 (Farr)**, died similarly in Senate committee.

**AB 2757 (Z'berg).** Prohibited with certain exceptions the placement of outdoor advertising within 800 feet of the edge of the right-of-way of any highway in the Interstate System and provided for licensing and restriction and regulation of advertising within the 800 foot area. Died in Assembly committee.

**AB 2800 (Z'berg).** Prohibited advertising displays on watercraft or waters of the state. Passed Assembly and died in Senate committee.

**SB 332 (Collier).** Required the regulation of advertising structures adjacent to any state highway in the National Interstate System and prohibited the placement of an advertising structure within 660 feet of the highway, with certain exceptions. Died in Senate committee.

**SB 1026 (Dolwig).** As amended, prohibited displays within 800 feet of right-of-way and described classes excluded from the prohibition. Died in Senate committee.

**SB 1405 (Farr).** Prohibited, with certain exceptions, advertising displays on watercraft or water and upon lands adjacent to water where advertising is primarily designed for persons using or on the water. Passed Senate and died on Assembly floor.

**SB 1467 (Farr).** Creates an advisory committee to prepare a master scenic highway plan for California. Chapter 1788.

**SB 1468 (Farr).** Requires the Department of Public Works to encourage the construction and development by the counties of official county scenic highways and provides that any county highway which meets the minimum standards may be



designated as an official county scenic highway; prescribes procedure for revoking designation. Chapter 1793.

**SB 1469 (Farr).** Authorizes the Department of Public Works to accept gifts for the purpose of acquiring and establishing as a memorial to a person or group, any place adjacent to a state highway in the state scenic highway system at a point of special scenic historical or cultural interest. Chapter 1794.

## Printers (See also Education)

### Good Bills

**AB 1314 (Marks).** Required that contracts for the publishing of state court decisions must provide that all printing and binding work performed under the contract shall be performed in California. Died in Assembly committee.

**AB 2448 (Elliott).** Required that prevailing wage rates in an area shall be paid to workmen employed in the execution of a contract made on behalf of a public agency for public printing or binding. Referred to interim study by Assembly committee.

**SB 1067 (Sturgeon).** Requires, rather than authorizes, state Fire Marshall to compile and publish laws relating to firemen and fire protection. Chapter 1371.

### Other Bills

**SB 583 (Regan).** Eliminates requirement that all opinions of Supreme Court and District Courts of Appeal that are filed be printed in law reports, and provides that such opinions as Supreme Court may deem expedient shall be published in official reports. Chapter 1353.

## Prison Labor

**SB 310 (Arnold).** Increases maximum compensation that may be paid state prisoners on work program from 10 cents to 35 cents, and provides that if prisoner is compensated, minimum shall be two cents per hour. Chapter 1198.

**SB 311 (Arnold).** As introduced, virtually removed ceilings on prison production. As amended and passed merely provides for adjustment of maximum permissible size of a state prison enterprise in proportion to the change in population of state correctional institutions, rather than state institutions generally. Chapter 979.

**SB 368 (Arnold).** As introduced, broadened

functions of conservation facilities of Department of Corrections. As amended and passed, establishes Sierra Conservation Center, North Coast Conservation Center, and Southern Conservation Center, to be subject generally to same provisions of law as the California Conservation Center. Provides that the Director of Corrections, rather than the Department, may enter into contract for performance of conservation services with state or federal agencies, rather than with political subdivisions of the state and local public agencies. Specifies that no productive industrial enterprise subject to the jurisdiction of the Correctional Industries Commission shall be established at any center or branch thereof or camp established under chapter relating to Conservation Centers except in compliance with the authority of the Commission. Chapter 1431.

## Public Employees

### GENERAL

#### Good Bills

**\*AB 608 (Z'berg).** Extended full political rights to all public employees. Died in Assembly committee. (See also **AB 856** and **AB 2947**, below, under subsection on **Counties and Municipal Employees**.)

**\*AB 793 (Kennick).** Provided that the state, cities and counties, and various public entities shall have the power to make and enter into contracts and collective bargaining agreements with their employees, the collective bargaining representatives of their employees and labor organizations. Referred to interim study by Assembly committee.

**AB 1564 (Burton).** Removed discretionary authority of state and public agencies to provide for dues "checkoff" on request of employee. Died in Assembly committee.

**\*AB 2251 (Gaffney).** Required state and all public agencies to contribute to health and welfare plans in the same manner and on the same basis as private employers. Referred to interim study by Assembly committee.

**AB 2886 (Dymally).** Made Industrial Welfare Commission orders as to conditions other than wages and hours applicable to all government employees. Passed by Assembly, but died in Senate committee.

#### Bad Bills

**AB 2500 (Monagan).** Proposed a "Public Employees Formal Representation Act." Generally contained provisions favoring association-type organizations over bona fide affiliated labor organizations. Referred to interim study by Assembly committee.

**AB 3084 (Mills).** Contained a number of improvements in the Brown Act of 1961 regarding public employee organizations, but also repealed more favorable collective bargaining provisions that currently exist for

employees of certain public agencies. Died in Assembly committee.

### Other Bills

**SB 42, 43, 44, 45, and 483 (Cobey).** Makes numerous changes in laws that relate to: liability of public entities and personnel; claims and actions against public entities, officers and employees; insurance for public entities and public officers, agents and employees; and defense of actions against public personnel. Chapters 1681, 1715, 1682, 1683, and 1685.

## STATE EMPLOYEES

### Good Bills

**AB 276 (Z'berg).** Gave state members of State Employees Retirement System (SERS) who chose not to be covered by federal Old Age, Survivors and Disability Insurance (OASDI) another opportunity to elect coverage on a coordinated basis. Passed by Assembly, but died in Senate committee.

**AB 525 (Powers).** Permits member of SERS who has full coverage under federal OASDI to set his combined retirement allowance under both systems to be uniform with amounts received under OASDI at age 62, in addition to age 65 as presently provided. Chapter 772.

**\*AB 609 (Z'berg).** Tightened restrictions on employment of state employees out of classification. Passed by Assembly, but died in Senate committee.

**AB 930 (Meyers).** Adds to government code specific prohibition against discrimination in state civil service because of religious creed, color, national origin or ancestry. Chapter 1253.

**AB 1591 (Meyers).** Provides that coverage under the State Employees Hospital and Medical Care Act, of employees terminating state service prior to retirement shall extend until the end of the month following the month in which state service is terminated. Chapter 1855.

**AB 1593 (Meyers).** Increases from \$5 to \$6 state's contribution under the State Employees Hospital and Medical Care Act. Chapter 2114.

**\*AB 2128 (Meyers).** Established a 35-hour work week and a 7-hour work day for state employees. Referred to interim study by Assembly committee.

**\*AB 2250 (Gaffney).** Required state to pay full cost of employees' coverage under State Employees Hospital and Medical Care Act. Referred to interim study by Assembly committee.

**AB 2397 (Meyers).** Strengthens state employee

rights to inspect documents relating to punitive actions against him and also to interview other employees having knowledge of acts or omissions upon which punitive action is based. Chapter 2138.

**AB 2651 (Song).** Provided for coordination of SERS and OASDI benefits for state employees engaged in proprietary functions, and others not presently eligible for coordination. Referred to interim study by Assembly committee.

**SB 1155 (Holmdahl).** Increases from \$400 to \$600 the workmen's compensation burial expense benefit which may be paid to certain members of the State Employees Retirement System. Chapter 1467.

**SJR 2 (Rodda).** Memorializes Congress and the U. S. Civil Service Commission to exclude California State employees from Hatch Act. Filed with Secretary of State. Chapter 109.

### Bad Bills

**AB 1584 (Meyers).** Indirectly sanctioned use of lie detectors in state service by requiring State Personnel Board to certify lie detector operators who are "qualified" to examine state employees. Referred to interim study by Assembly committee.

### Other Bills

**AB 147 (Z'berg).** Changes amount of vacation time granted state employees from 7½ days at end of six months service, 15 days a year thereafter and 20 days a year after 25 years service, to 10 days a year for first three years, 15 days a year for next seven years, 17 days a year for next five years, 19 days a year for next nine years, and 20 days a year thereafter. Provides for new schedule to go into operation January 1, 1964, and prohibits reduction of rate of vacation credit allowed for any person employed by the state prior to that date. Chapter 1531.

**AB 1884 (Meyers).** Revises provisions relating to behavior of state employees on and off duty. Chapter 1620.

**AB 1991 (Knox).** Establishes career executive category of civil service positions. Chapter 1816.

## 1963 Special Session

**SB 4 (Teale).** Budget augmentation bill for fiscal year 1963-64. Contains appropriations for adjustment of salaries of state employees for job classifications which on January 1, 1964, are more than five percent below comparable positions in private industry and other public employment. Chapter 8. Statutes of 1963 Special Session.

**FIRE FIGHTERS**

(See also **Workmen's Compensation**)

**Good Bills**

**\*AB 610 (Z'berg)**. Required the legislative body of a city, fire district, county fire district, and fire protection district in which there is a regularly organized paid fire department or county fire warden department, to establish a civil service system on terms and conditions comparable to the state service system. Died in Assembly committee.

**AB 1194 (Knox)**. As introduced, provided for a 56-hour week for firemen employed by local agencies. As amended and passed by the Assembly on a 41-35 vote, provided for gradual reduction of working hours so that, effective in 1968, fire fighters shall work not more than an average of 56 hours a week computed on the basis of total weeks work in a calendar year. Died in Senate committee.

**AB 1199 (Stanton)**. Required that firemen with more than 5 years of completed service be granted an annual leave of absence of not less than 30 consecutive days, instead of only 15. Died in Assembly committee.

**AB 1819 (Dymally)**. Established a minimum annual salary of \$5,000 for policemen and firemen, and provided 30 days annual vacation for such employees having at least 20 years service. Referred to interim study by Assembly committee.

**SB 240 (Regan)**. Prohibited merger or consolidation of fire and police departments in any general law city. Died in Senate committee.

**SB 243 (Regan)**. Requires that all publicly owned fire fighting vehicles designed and used for emergency fire calls be equipped with approved safety belts for each seat utilized by personnel when such vehicles are being operated. Chapter 1697.

**Bad Bills**

**SB 963 (Cobey)**. Removed employees of fire departments and fire services of the state from the Labor Code provisions establishing the right of fire fighters to organize, thus leaving the rights of such employees subject to the weaker law governing public employees generally with regard to organizational rights. Died in Senate committee.

**Other Bills**

**AB 748 (McMillan)**. Provides an alternate method of formation of a fire district without an election, upon petition of owners of real property in the proposed district equal to at least 51 percent of the assessed valuation of real property in the proposed district. Chapter 1086.

**AB 980 (Warren)**. Provided for advisory arbitration in the case of an unresolved dispute between fire fighters and public agencies under Labor Code provisions relat-

ing to organizational rights of fire fighters. Died in Assembly committee.

**AB 1351 (Beilenson)**. Requires governing board of fire district operating under fire protection district law of 1961, or county fire protection district, in fixing the compensation to be paid to civil service employees of district, to provide, in each instance, a salary or wage at least equal to the prevailing salary or wage for same quality of service in private employment, if the district is governed by Board of Supervisors of county which has charter that makes same requirement as to fixing of salaries or wages of civil service employees of county. Chapter 895.

**AB 2147 (Hinckley)**. Declared it the policy of the State that the normal work week of fire suppression employees of the Division of Forestry shall not exceed 96 hours a week. Authorized compensation or compensatory time off for hours worked in excess of the designated normal work week. Died in Assembly Ways and Means Committee.

**AB 2268 (Gonsalves)**. Requires that districts formed under the Fire Protection District Law of 1961 provide a civil service system for fire fighters, subject to the approval of a majority of the qualified electors of the district voting on the proposition at a general or special election if petition signed by at least 10 percent of the qualified voters is presented to the District Board. Permits employees to circulate such petitions at times when they are not on duty. Chapter 1294.

**COUNTY AND MUNICIPAL EMPLOYEES****Good Bills**

**AB 120 (Elliott)**. Repeals provisions which except child care center personnel from application of merit system of school district. Chapter 36.

**AB 217 (Song)**. Permits employees of local public agencies contracting with SERS to divide retirement system without an election for purposes of coordination of retirement system benefits with federal OASDI. Requires SERS Board to conduct the division of the public agencies retirement system into those who desire federal coverage and those who do not. Chapter 663.

**AB 409 (Flournoy)**. Prescribes legal holidays for classified school employees and authorizes additional pay or compensatory time off when employee is required to work on such days. Makes provisions applicable to school districts with merit system. Chapter 96.

**AB 856 (Petrís).** Extended full freedom of political action in state and federal elections during off hours to local public employees other than school district employees. Declared bill to be pre-emptive, and authorized local regulation of other political activities. Passed Assembly by vote of 60-12. Referred to interim study by Senate committee. (See **AB 2947**, below.)

**AB 1399 (Bee).** Amends county retirement law to provide \$400 death benefit for named beneficiary of retired employee. Becomes operative in a county upon approval of Board of Supervisors. Chapter 640.

**AB 1578 (Waldie).** Authorizes and establishes cost of living adjustment procedure in county employee's retirement law whereby Board of Supervisors, based upon Consumer Price Index, may annually increase or decrease up to a maximum of two percent every retirement allowance, optional death allowance or annual death allowance. Chapter 624.

**AB 2169 (Waldie).** Grants to regularly employed part-time classified school district employees the same sick leave, vacation, and other benefits granted to full time employees in same classified positions, to be allotted in same ratio that part-time employment bears to full-time employment. Makes Act applicable to districts with merit system. Chapter 1136.

**AB 2267 (Bane).** Provides that those present classified employees of school districts governed by same governing board, whose combined district average daily attendance exceeds 400,000, and who are members of the State Employees Retirement System, shall be covered by federal OASDI, if they so elect, and that all such future employees of such districts shall be so covered. Requires that a division of employees into those desiring federal coverage and those who do not want coverage be made by Board of Administration of SERS no later than December 31, 1963. Provides for this division to be made without any election among employees as to whether federal coverage will be available. Establishes basis for coordination. Chapter 1401.

**AB 2274 (Bane).** Requires division of retirement system under County Employees Retirement Law of 1937 in counties whose population exceeds five million to provide coordination with federal OASDI for all present employees, who so elect, and all future employees, except policemen and firemen, as those positions are defined in federal act. Provides that division of system into those who do

and those who do not desire such federal coverage shall be made by retirement board of system. Declares that integration with OASDI shall be accomplished no later than July 1, 1964. Chapter 2090.

**AB 2694 (Knox).** Provides that in approving health and welfare benefit plans for employees, a local public agency shall give preference to those plans which do not terminate upon retirement and which provide same benefits for retired personnel as for active personnel at no increase in cost, provided local agency makes contribution of \$5 per month toward cost of such plan. Chapter 1403.

**SB 1171 (Geddes).** Permits legislative body of local agency, subject to such conditions as may be established by it, to provide health and welfare benefits, and to pay any portion of the premiums thereof, for retired employees, as well as for its active officers and employees. Chapter 1773.

### Other Bills

**AB 158 (Casey).** Requires that school district food service personnel be employed as part of classified service. Chapter 462.

**AB 501 (Dymally).** Extends from 5 to 15 days period for which emergency appointments of classified school employees may be made. Chapter 770.

**AB 844 (Casey).** Permits employee retired under County Employees Retirement Law of 1937 to render compensated service as independent contractor to county or district without loss of retirement benefits. Chapter 364.

**AB 1420 (Britschgi).** Permits member of county employees retirement law of 1937 to have his retirement allowance, rather than his unmodified retirement allowance, increased prior to becoming eligible for benefits under federal OASDI and decreased after such date to coordinate total allowance under both systems. Chapter 642.

**AB 1745 (Garrigus).** Directs governing boards of school districts to provide for industrial accident or illness leaves of absence for classified employees. Chapter 2119.

**AB 2947 (Danielson).** Permits city and county employees during off duty hours to participate in political activities involving state and federal offices, but carries following restrictions on participation in local political activities: prohibits officers and employees of local agency from receiving or

soliciting political contributions from other personnel at the agency, from soliciting and receiving political contributions on agency property with specified exemptions, from promising employment benefits to officers or employees of the agency, from participating in political activities while in uniform and from taking an active part in campaign for or against any candidate for office of the agency, or for or against any ballot measure relating to recall of officer of the agency. Also provides that limitations set forth under existing law regarding political activities of state employees are the only restrictions on such employees, with specified exception where the officer or employee engages in "incompatible activity." Chapter 2000.

**SB 249 (Grunsky).** Defines the terms "short term employee" and "75 per cent of the school year" for the purpose of determining what school district employees are in the classified service. Chapter 513.

**SB 322 (Rodda).** Authorizes governing board of school district to increase annual salaries of non-certified personnel at any time during school year if the board has provided for such right by appropriate rules and regulation adopted prior to the commencement of school year or by appropriate provisions in the employment contracts of such employees. Chapter 909.

## TEACHERS

(See also **Education**)

### Good Bills

**AB 181 (Gaffney).** Raised minimum annual salary for teachers from \$4500 to \$5000. Passed Assembly by 52-10 vote, but died in Senate committee.

**AB 227 (Porter).** Authorizes school districts to employ readers, to assist teachers in marking and analyzing pupils written work. Chapter 1076.

**AB 317 (Elliott).** Provides that probationary teacher protection law of 1961 shall not be construed to diminish the rights of probationary teachers dismissed *during* a school year. Chapter 59.

**AB 657 (Zenovich).** Requires State College Trustees to report annually to the Governor and Legislature concerning salaries, wages, hours of work, conditions of work, and other matters relating to state college personnel. Chapter 1396.

**AB 658 (Zenovich).** Companion to **AB 657**, required that Regents of the University of California make similar

annual reports. Passed Assembly but died in Senate committee.

**AB 1110 (Kennick).** Allows all school districts, rather than only those with an a.d.a. of at least 400,000, to levy additional taxes for payment of employees health and welfare benefits. Chapter 203.

**AB 1181 (Dymally).** Prohibited school boards and administrators from maintaining files on teachers that are not made accessible to them individually. Died in Assembly committee.

**AB 1414 (Stanton).** Provided state college teachers with sabbatical rights at least equal to those now enjoyed by teachers of the University of California. Died in Assembly Ways and Means Committee.

**\*AB 2373 (Dymally).** Extended Labor Code provisions on collective bargaining rights to teachers. Referred to interim study by Assembly committee.

**AB 2605 (Dymally).** Required Department of Employment to maintain a placement service for teachers. Died in Assembly committee.

**AB 2664 (Dymally).** Prohibited reduction of teacher's salary by "merit system" evaluation. Died in Assembly committee.

**AB 2687 (Stanton).** Allowed state college teacher who is dismissed to request a written statement from the college president setting forth the reasons for dismissal, together with right to a hearing. Died in Assembly committee.

**AB 3004 (Stanton).** Allowed teachers to elect OASDI coverage on a basis supplemental to existing retirement system. Died in Assembly committee.

**ACR 48 (Garrigus).** Declares it public policy for the state Board of Education to allow the establishment of councils in junior colleges so that faculty members may participate in the formation of academic and professional policies. Filed with Secretary of State. Chapter 108.

**SB 57 (Stiern).** Increases minimum retirement allowance, exclusive of optional settlements, of members of State Teachers Retirement System from \$70 for each year of service at retirement age 60 to \$80, and sets the minimum for disability retirement below age 60 at 90 per cent of that received at age 60. Makes such increased minimum applicable to those who retired prior to July 1, 1956, and removes the 75 per cent of final compensation limitation in respect to such teachers, as to allowances payable January 1, 1964, and subsequently. Appropriates \$939,000 from general fund. Operative January 1, 1964. Chapter 2171.

**SB 152 (Cameron).** Deletes exception from teacher tenure law of joint union or union high school districts having average attendance of 250 or more and having eight or more schools not less than six miles apart. Chapter 664.

**SB 171 (Grunsky).** Affords tenure to employees of county superintendents of schools where a.d.a. is 250 or more, rather than 850. Chapter 413.

**SB 467 (Arnold).** Strengthens misdemeanor penalty provisions against parent or other person who abuses teacher. Chapter 744.

**SB 1622 (Miller).** Allowed local school boards to pay for any part of or all of teachers' retirement benefits from local funds. Died in Senate committee.

### **Bad Bills**

**AB 155 (Winton).** Removed teachers from Brown Act of 1961 governing organizational rights of public employees generally, and established modified provisions applicable to teachers separately under Education Code. Passed by Assembly, but died in Senate committee.

**AB 620 (Garrigus).** Contained proposals of California Teachers Association aimed at weakening protections for probationary teachers enacted in 1961. Among other things, removed right to a formal hearing upon notice of dismissal. Died in Assembly committee. (See also **AB 1575**, below.)

**AB 1361 (Porter).** Excepts school districts governed by same board in which combined a.d.a. is over 400,000 from provisions requiring reclassification of substitutes as probationary employees when they teach 75 percent of school year in regular school and meet other regular requirements for probationary status. Chapter 1964.

**AB 1575 (Veysey).** Contained proposals of California School Boards Association to weaken probationary teacher protections enacted in 1961. Among other things, removed provision for formal hearing before board in districts of less than 85,000 a.d.a., and allowed no right of appeal from a board's decision. Defeated on Assembly floor on two separate attempts to secure passage. Both votes were expunged from record. An earlier attempt to

kill the bill by sending it to interim committee for study lost on a 37-37 vote.

**SB 1504 (Farr).** Prescribed new procedures for hearings of probationary teachers upon notice of dismissal, weakening probationary teacher protections enacted in 1961. Died in Senate committee.

### **Other Bills**

**AB 2159 (Gonsalves).** Makes ineligible for permanent classification in district with 400,000 a.d.a. or more, teacher who is assigned to 10 hours or less a week in adult classes. Chapter 1133.

**AB 3003 (Garrigus).** Directs governing board of school district to provide for industrial accident or illness leave of absence for teachers. Chapter 2153.

**SB 79 (Stiern).** Creates a teachers' professional standards commission composed of 13 members appointed by state Board of Education for four year terms, with Superintendent of Public Instruction serving as member and chairman. Provides for commission to serve in advisory capacity to board, and to recommend standards and policies for licensing of certificated school personnel. Changes Commission on Credentials to Committee on Credentials, and places committee within Department of Education. Allows state Board of Education to assign to committee such administrative duties as Board sees fit relating to granting, issuing, suspension and revocation of credentials and life diplomas. Chapter 1748.

**SB 109 (Rodda).** Allows retired teacher employed on temporary assignments to earn \$1800, instead of \$1500, a year without requiring reinstatement as a member in the State Teachers Retirement System. Chapter 327.

**SB 1002 (Miller).** Makes several changes in the provisions of law requiring withholding of state monies from school districts that fail to expend required amounts for classroom teachers' salaries. Chapter 1766.

## LABOR UNIONS

In the field of labor legislation affecting the body and operation of the trade union movement, the core of the Federation's legislative program was contained in a series of bills aimed at correcting glaring omissions in the California Labor Code which operate to negate the state's basic policy favoring the development of stable, constructive and peaceful labor-management relations.

In the Lower House, the composition of the Assembly Committee on Industrial Relations provided an insurmountable obstacle. Effective con-

trol over all basic labor bills was exercised by the Assembly leadership through the appointment of a

closely balanced committee of ten members (reduced from the previous eleven in 1961) that permitted a conservative alignment of five votes to block key bills. The nature of the problem revealed itself early in May when the hospital employees collective bargaining bill (\*AB 2129-Foran) was heard. Despite an overwhelming case developed in support of the bill, Democrat Walter W. Powers of North Sacramento joined with the committee's four Republican members to oppose the bill and preclude a majority of six that was necessary to send it to the floor of the Assembly.

This basic alignment stymied the work of the committee, leading to the eventual defeat of the professional strikebreaker bill (\*AB 1938-Petris), and foreclosing possible action on the jurisdictional strike repealer (\*AB 506-McMillan), as well as other important labor code measures sponsored by the Federation and pending before the committee. (See Section on LABOR CODE CHANGES, GENERAL.

In the Senate, the first indication of what could be expected from the 7-member labor committee came in the second week of April when the Senate unit, shy two of its members, failed to pass out \*SB 889 (McAteer), repealing the state's unconstitutional "hot cargo" act. The bill received a 3-2 vote, but fell one vote short of the four needed to secure a favorable recommendation.

Later in the session, some three weeks prior to adjournment, Senator McAteer, chairman of the Labor Committee, revived his repealer bill and moved it through the Senate Labor Committee on a voice vote. When the measure reached the Upper House floor, Senator Way of Tulare County secured re-referral of the bill to the Senate Governmental Efficiency Committee. This action killing the bill was taken by voice vote when many senators, including the bill's author, were absent from the floor because of simultaneous committee meetings in progress.

Federation-sponsored legislation to establish Democratic machinery for the determination of representation and collective bargaining rights in intra-state commerce (\*SB 811-Holmdahl) was defeated by voice vote of the Senate Labor Committee in mid-May. Although opposed by the entire community of employer interests, the onslaught against the bill was led by agribusiness and corporate growers who carried the day.

Similarly, another Holmdahl bill (\*SB 812) aimed at restricting the issuance of anti-labor injunctions, failed to survive committee action. The measure was originally referred to the Senate Committee on Judiciary where it was considered to have a better chance of receiving clearance. When the bill came up for hearing early in May, the Judiciary Committee re-referred it to the Rules Committee with the recommendation that it be re-referred to the Labor Committee. The Rules Committee, however, re-referred it to the Committee on Governmental Efficiency where it was sent to interim committee for further study.

(Bills affecting only a segment of organized labor or a particular industry, or occupation are covered under LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS. Legislation concerning the organizational and collective bargaining rights of government workers is reported under LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS— PUBLIC EMPLOYEES.)

### Good Bills

\*AB 506 (McMillan). Repealed state's so-called jurisdictional strike act. Died in Assembly committee.

\*AB 1938 (Petris). Under penalty of a misdemeanor, made it illegal to procure and import professional strikebreakers. Amended several times to clarify bill and overcome opposition by the community of employer lobbyists. Referred to interim study by Assembly committee on voice vote.

\*AB 2129 (Foran). Established election machinery for the determination of representation and collective bargaining rights of employees of proprietary, non-profit and district hospitals. Died in Assembly committee.

\*SB 811 (Holmdahl). Established election machinery for the determination of representation and collective bargaining rights of workers in intra-state commerce who fall outside the jurisdiction of the federal Labor-Management Relations Act and NLRB procedures. Died in Senate committee.

\*SB 812 (Holmdahl). 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. Referred to Senate Judiciary Committee, and then referred from there to Rules Committee to the Committee on Governmental Efficiency where it was sent to interim study.

\*SB 889 (McAteer). Repealed unconstitutional "hot cargo" and secondary boycott law which is still in the Labor Code. Received favorable recommendation from Senate Labor Committee, and then was referred from floor of Senate to Governmental Efficiency Committee where it died.



**Bad Bills**

**AB 2827 (Thelin), ACA 30 (Thelin), SB 1348 (Holmdahl), SCA 12 (Rattigan).** Declared purpose of these measures was to resolve conflicts between state laws and local ordinances without intent to affect labor laws.

## PUBLIC HEALTH

(See also AGRICULTURAL LABOR; CONSUMER PROTECTION; HEALTH INSURANCE; LABOR, SEPARATE INDUSTRIAL AND OCCUPATIONAL GROUPS, and INDUSTRIAL SAFETY)

**Good Bills**

**AB 1193 (Alquist).** Creates a study commission on mental retardation consisting of 15 members and appropriates \$25,000 for support of the commission. Chapter 935.

**AB 2031 (Petrus).** Proposed a Fair Hospital Practices Act requiring that publicly assisted hospitals and hospitals supported by charitable contributions solicited from the public shall be governed by rules protecting doctors against unfair or unreasonable discrimination with respect to staff privileges; provided a misdemeanor penalty for willfully preventing or limiting the access of any doctor to the facilities of a hospital. Referred to interim committee study by the Assembly.

**AB 2050 (Frew).** Provides for a program of nursing education scholarships administered by the state Department of Public Health and makes them contingent upon legislative appropriation for fiscal 1965 or any year thereafter. Chapter 1633.

**AB 2185 (Allen).** Authorizes Director of Public Health to bring action to enjoin violations of state regulations regarding nursing and convalescent homes where such violations threaten health or safety of patients rather than only where state Department of Public Health has instituted proceedings for revocation or suspension of license; authorizes action by local health officers to whom inspecting authority has been delegated; deletes provision requiring 30 days written notice of each violation prior to filing a complaint against licensee; deletes provision forbidding injunction which would cause licensee to cease operations or would seriously impede continued operations unless operator has been accorded prior judicial hearing. Chapter 1643.

**AB 2748 (Carrell).** Required the state director of Public Health to determine by August 1, 1964, the maximum allowable standards of emissions of contaminants for vehicles used in enclosed structures. Passed Assembly by a vote of 70-1. Died in Senate committee.

Scope of measures as drafted, however, would have endangered the priority of state labor statutes, thus legalizing local "right to work" ordinances and other anti-labor laws at the local level. All measures were either held in committee or referred to interim committee study.

**AB 2986 (Knox).** Requires the state Department of Public Health to monitor radioactive materials in the environment and, at least once a month, make public to news media the results of the monitoring. Chapter 1673.

**AB 2998 (Milius).** Required Department of Public Health to provide diagnostic services for mentally retarded persons over 21 years of age. Referred to interim committee study by the Assembly.

**SB 345 (Quick).** Provided that plant quarantine officers at inspection stations may ascertain the origin, quantity, and kinds of poultry and poultry products, eggs, livestock and products thereof transported into or out of California through such stations; authorized such information on meat transported out of, as well as into the state; required vehicle operator to stop and give required information on request. Referred to interim committee study by the Senate.

**SB 488 (Stiern).** Amends meat inspection sections of Agriculture Code to delete previously granted exemption, and subjects to inspection calves owned by persons engaged in dairy business and calves under eight months old slaughtered on livestock producers' own premises and marketed under designated circumstances; deletes previously granted exemption and subjects to seizure and destruction those dressed carcasses of calves taken at points of inspection without proper label. Chapter 415.

**SB 489 (Stiern).** Provided that incubator "reject" eggs cannot be used in egg products. Referred to interim committee study by the Assembly.

**SB 636 (Short).** Amends the Short-Doyle Act for Community Health Services, enacted in 1957, under which the state has paid 50 percent of the operating cost of mental health services. Increases the state's share to 75 percent for new or expanded community health services started by cities and counties prior to October, 1965. Chapter 2037.

**Bad Bills**

**AB 1128 (Pattee).** Deleted requirements on sale of eggs represented as "ranch eggs" or "farm eggs"; deleted prohibition against sale of eggs represented as "fresh", which have been held in cold storage over 30 days; required eggs sold as fresh to be of grade AA rather than

grade A quality. Referred to interim committee study by the Senate.

**AB 2167 (Alquist).** Authorized the agent of a consumer, as well as the consumer himself, to remove wholesomeness inspection markings on poultry. Died in Senate committee.

**SB 157 (Rattigan).** Extends for another two years, until November 1, 1967, the present exemption of New York dressed fowl from the poultry plant sanitation and inspection for wholesomeness provisions of the Agricultural Code. Chapter 336.

### Other Bills

**AB 331 (Rumford).** Extends to October 2, 1965, authority of the Board of Nurse Examiners to issue temporary permits to practice to applicants licensed in another state, increases registration fee and deletes citizenship requirement. Chapter 1537.

**AB 553 (Zenovich).** Exempts sales of foreign cold storage meat by wholesalers, dealers and importers to retailers and others from the present requirement that report of sale be made to the Director of Agriculture. Chapter 221.

**AB 596 (Rumford).** Enacts California Bakery Sanitation Law. Revises requirements regarding equipment and sanitation of bakeries, health requirements of bakery employees, and requirements regarding preparation, packaging and sale of bakery products. Chapter 610.

**AB 1242 (Rumford).** Renews prohibition against issuing more than one temporary nursing license to any person; provides that temporary licenses may be reissued, but not more than twice to any person. Deletes citizenship requirement. Chapter 1400.

**AB 1413 (Crown).** Appropriates \$125,000 from the General Fund for reimbursement to local agencies for establishment and operation of mental health services. Chapter 1032.

**AB 1450 (Allen).** Prohibits Department of Industrial Relations from adopting or enforcing regulations relating to installation, maintenance or

use of hot plates in rooms of any building occupied on or prior to effective date of the Act if certain designated conditions exist; authorizes local ordinances to prohibit such installation. Chapter 696.

**AB 2509 (Holmes).** Prohibits, after June 1, 1967, a person licensed under the Medical Practice Act from having any membership, proprietary interest or co-ownership in a pharmacy; exempts hospital pharmacies and ownership of buildings in which pharmacy is located. Chapter 1303.

**SB 564 (Teale).** Extends Regional Hospital Planning Program for an additional two years and establishes two new hospital planning regions in San Diego and in South San Joaquin Valley area; increases each local hospital committee from 10 to 11 members, adding to each committee one member who is an administrator of a nursing or convalescent home, appropriates \$25,000 for the establishment of each of the two new regions. Chapter 2032.

**SB 646 (Stiern).** Places a limit of eight years during which time a license may be reinstated without examination after it has expired for failure to pay renewal fee, and provides that after the eight-year period the California Board of Nursing Education and Nurse Registration may require applicant to pass examination to determine fitness to resume practice. Chapter 599.

**SB 1051 (Stiern).** Deletes exemption of salvage operations incidental to candling or grading of eggs from licensing by state Department of Public Health; deletes requirements that persons engaged in preparing egg products for resale who are not otherwise required to be licensed must register with Department. Chapter 2049.

**SB 1430 (Collier).** Requires operators of nursing and convalescent homes and operators of institutions, boarding homes, or other places for the reception or care of aged persons to maintain bonds with the State if operator handles money of patients, unless the amount is less than certain specified sums. Chapter 1935.

## RECREATION

In the field of recreation, the most important action taken by the 1963 legislature was the approval of legislation to re-submit a \$150 million state recreation bond issue to the voters at the November 1964 general election. Such a bond issue was tragically defeated during the 1962 primary election when an irresponsible minority in the Assembly forced a series of five bond issues to be placed on the primary ballot.

With the price of land throughout the state increasing at a rate of approximately ten percent

a year, it is recognized that acquisition of recreation lands must proceed without delay before the

state is priced out of the market or irreplaceable lands are lost to developers. Under **SB 153 (Cameron)** the voters will decide whether or not an estimated 25,200 acres of prime beach and park property will be preserved from mushrooming subdivisions and rising prices, for use of all the people in our modern society of increasing leisure.

### Good Bills

**AB 302 (Ashcraft).** Authorizes county water districts, subject to approval of any public health authority with jurisdiction, to use any water under their control for recreational purposes, and in connection therewith to acquire, construct, maintain, and operate any works or facilities appropriate to recreational use of water. Chapter 574.

**AB 2637 (Johnson).** Requires that beach and seashore recreation areas owned, leased, controlled, maintained or managed by city or county be open to public use upon same terms and conditions as are applicable to residents of such city or county. Chapter 1594.

**SB 137 (Teale).** Amends the so-called Davis-Grunsky Act regarding state assistance to local water projects, providing, among other things, that state grants may be made for fish and wildlife enhancement and recreation, rather than for such purposes only when incidental to primary functions of the project. Chapter 2023.

**SB 153 (Cameron).** Places a \$150 million state recreational bond issue on the November 1964 general election ballot to provide funds in amounts

not exceeding: (a) \$85 million for acquisition of real property for state park system; (b) \$20 million for minimum development of property acquired for state park system; (c) \$5 million for acquisition and development of real property for wildlife management; and (d) \$40 million for grants to counties, cities, or cities and counties for acquisition and development of real property for park and beach purposes. Requires review of proposed expenditures of funds by Administrator of the Resources Agency and the state Office of Planning, and that any expenditure be authorized by appropriation by the legislature. Establishes a state Park and Recreation Finance Committee to determine the necessity and desirability of issuing bonds and to prescribe the amount and terms and condition of bonds to be issued by the State Treasurer. Chapter 1690.

**SB 779 (Weingand).** Authorizes county board of supervisors to acquire property for preservation and development of historical landmarks and for recreational purposes in connection therewith, and provides that by ordinance the board may protect and perpetuate places, buildings, works of art having special historical or aesthetic value; provides that appearance of neighboring private property may be subject to control. Chapter 987.

**SB 1630 (Rodda).** Requires Administrator of state Resources Agency, in cooperation with state Office of Planning, to undertake study for purposes of developing a comprehensive master recreation plan for Sacramento-San Joaquin delta and along Sacramento River. Appropriates \$40,000 from general fund for this purpose. Chapter 2094.

## SKILL DEVELOPMENT AND JOB TRAINING

(Includes Vocational Education, Rehabilitation and Apprenticeship Training)

In the increasingly important and complex field of skill development, job training and retraining, a number of beginning steps were taken by the legislature to help bring some order and coordinated action out of a generally prevailing chaotic situation that has resulted from the desultory development and launching of new programs with a training or rehabilitation objective. Indeed, the adoption of additional programs by the 1963 legislature makes this coordination even more urgent.

A fundamental step in this direction was the passage of **AB 49 (Elliott)**, creating a California Commission on Manpower, Automation and Technology to help evolve solutions to structural unemployment problems that relate to the matching of

men and jobs. Its effect is to provide a statutory base for a similar commission which has been functioning on a limited basis by executive order of the Governor. The main purpose of the commission

is to encourage coordinated labor market surveys and projections of skill needs, considered vital to the development of all job training, retraining and rehabilitation programs. It is anticipated that the bulk of the funds utilized will come from the Federal Government under the federal Manpower Development and Training Act, the implementation of which has highlighted the shortcomings of existing diffusion of authority among state agencies.

Another limited coordinating step was taken with the passage of **SB 1023 (Rattigan)**, establishing a new department of Vocational Rehabilitation in the Health and Welfare Agency in an effort to consolidate the responsibility for scattered rehabilitation services provided by the state under various programs and laws. The new department may also provide a future base for a coordinated expansion of rehabilitation services for the industrially injured.

In the area of apprenticeship training, several bills were passed which will contribute to needed flexibility in the functioning of apprenticeship programs under local Joint Apprenticeship Committees (JAC's). One of the more important bills that failed to pass, however, was a measure designed to foster the development of local apprenticeship and training information centers, patterned after the apprenticeship "clearing houses" established on pilot basis in Fresno, Los Angeles, and San Francisco.

Specific legislation sponsored by the Federation to curb racketeering in private trade schools was also adopted. The measure, **\*AB 419 (Knox)**, applies to trade schools that hold out the prospect of job placement as an inducement to enrollment and engage in placement activities. Authority is granted the Labor Commissioner to establish standards governing their advertising and placement activities. The Federation bill was supplemented by the adoption of two Senate bills that broadened the authority of the Department of Education to curb abuses of private trade schools on a basis compatible with **\*AB 419**.

Among new programs, the legislature established in **SB 1064 (Cameron)** a pilot youth conservation and training program which is to be jointly conducted by the Departments of Conservation, Education, Employment, and Industrial Relations, and the Youth Authority. Federation amendments were inserted in the legislation prior to passage,

to enhance the training objectives and preclude displacement of regularly employed workers.

In other efforts to alleviate the youth employment problem, however, the legislature failed to provide the coordination and standards necessary to prevent exploitation and avoid the problems of piecemeal action. The efforts included **SB 847 (Lagomarsino)** and **SB 1053 (Sedgwick)** which authorized the establishment of uncoordinated conservation and training programs at the county level under school authorities.

### Good Bills

**AB 49 (Elliott)**. Creates a 29-member California commission on Manpower, Automation and Technology composed of four Senators, four Assemblymen, 15 members appointed by the Governor, and six ex officio members. The 15 Governor's appointees are to include six from labor, six from management, and three representing the general public. Ex officio members include the Commissioner of the Economic Development Agency, and the Directors of the Departments of Industrial Relations, Employment, Education, Social Welfare, and Agriculture. Prescribes functions and duties of the Commission, including the projection of skill needs. Makes provision for an Executive Secretary with clerical assistance, and also for utilization of the staffs of the Departments of Industrial Relations, Employment, and Education to conduct studies and make surveys and perform similar functions, as requested by the Commission. Authorizes the Commission to make recommendations to state departments for implementation of Commission studies. Provides that 13 of the Commission members shall function as a state Manpower Advisory Committee for the implementation of the Manpower Development and Training Act, such 13 members to include: three representatives of the general public; three from labor; three from management; and four representing the state Departments of Industrial Relations, Employment, Agriculture, and Education. Chapter 998.

**AB 81 (Hinckley)**. Makes Shelley-Maloney Apprentice Labor Standards Act of 1939 applicable to employers and employees subject to Railway Labor Act of Congress. Chapter 708.

**AB 110 (Belotti)**. Where appropriate, required the Division of Apprenticeship Standards to promote, foster, and develop local apprenticeship and training information centers in cooperation with the Departments of Employment, Education, and Industrial Relations. Made

establishment of such centers part of a legislative mandate to the Division to gather and disseminate information concerning current apprenticeship and other on-the-job training opportunities, services, and programs to inform the public, employers, industries, labor, youth, parents, youth counsellors, and minority groups. Carried a \$100,000 appropriation. Passed Assembly but died in Senate Finance Committee.

**\*AB 419 (Knox).** Requires Labor Commissioner to prescribe rules and regulations relating to advertising, publicity and placement activities of trade schools that are subject to the Labor Code provisions relating to private employment agencies. Specifies that rules and regulations respecting job availability, degree of skill, and length of time required to learn, shall require that accurate information be included and that such materials not be misleading. Specifies further that rules and regulations of the Labor Commissioner respecting placement and offers of placement, shall provide that any promise of placement offered as an inducement to enroll shall be fulfilled, or any fees involved, or other amounts prescribed by regulations for employment, shall be refunded. Chapter 2100. (See also SB 1335 and SB 1429, below.)

**AB 798 (Foran).** Authorizes joint apprenticeship committees concerned with instruction of apprentices to provide exceptions to general requirement that apprentices receive not less than 144 hours per year of related and supplemental instruction. Chapter 125.

**AB 799 (Foran).** Specifies as an exception to existing provision that joint apprenticeship committees shall function in an advisory capacity, that specific written authority conferring additional powers may be delegated to such joint apprenticeship committees by the parent bodies they represent. Chapter 89.

**AB 1272 (Foran).** Authorizes Department of Education to provide supplemental instruction to apprentices who cannot, because of small number of apprentices or distance from existing programs, be enrolled in existing classes. Chapter 1561.

**AB 3071 (Burton).** Requires individual counseling and guidance in social and vocational matters to be provided as part of instructional program for mentally retarded minors. Chapter 1613.

**ACR 43 (Foran).** Requests the Department of Industrial Relations and the Bureau of Industrial Education in the Department of Education to study

and analyze all facts relating to apprenticeship and other training preparatory courses in California secondary schools and to take such steps as are necessary to develop methods whereby industry, as represented through the JAC's or other advisory committees, will review subjects offered in secondary schools, and determine which of these are essential or desirable as preparatory to enter into apprenticeship or other on-the-job training programs. Requests report be submitted to legislature at 1965 general session. Filed with Secretary of State. Chapter 168.

**SB 1023 (Rattigan).** Creates a Department of Rehabilitation in Health and Welfare Agency headed by director appointed by the Governor subject to confirmation by Senate. Transfers to department, functions and jurisdictions exercised by Department of Education pertaining to vocational rehabilitation, and personnel and property engaged or used in such functions. Adds Director of Rehabilitation as member of coordinating council on state programs for blind and coordinating council on programs for handicapped children. (Bill also places the Citizens Advisory Committee on Aging, and the Office of Atomic Energy Development and Radiation Protection within the Health and Welfare Agency.) Chapter 1747.

**SB 1335 (Grunsky).** Broadens the scope of the so-called "diploma mill" law administered by the Department of Education to remove loopholes that currently allow certain trade schools to escape the law's provisions. Chapter 1931.

**SB 1429 (Grunsky).** Prohibits private trade schools from offering courses of education or training leading to professional or vocational objectives without the approval of the Superintendent of Public Instruction, and establishes standards for the performance of such schools along with specific prohibitions in the solicitation of students, advertising of job opportunities, etc. Measure supplements **\*AB 419**, above, and applies to private schools that fall outside the jurisdiction of the Labor Commissioner, including business schools. Bill carries a Federation amendment which declares that the authority granted the Department of Education "shall supplement and not displace authority granted the Division of Labor Law Enforcement" under **\*AB 419**. Also the Labor Commissioner and the Chief of Division of Apprenticeship Standards in the Department of Industrial Relations are named to an Advisory Commission

to Department of Education for the implementation of **SB 1429**. Federation amendments assure compatibility of the two bills, and provide for a cooperative effort in regulating abuses of private trade and vocational schools. Chapter 2073.

### **Bad Bills**

**SB 847 (Lagomarsino)**. Authorizes establishment of technical, agricultural and natural resource schools, specializing in those areas, and authorizes them to operate on full time placement care basis. Also permits tax levy to support schools and would permit schools to receive their share of state school fund apportionment, as well as recoup portion of cost from child's parent, his county of residence, and his high school district of residence. Lacks state standards to assure compatibility with other youth training programs. Chapter 1908.

**SB 1053 (Sedgwick)**. Permits County Superintendent of Schools, with approval of County Board of Education, or two or more County Superintendents jointly, to contract with federal, state and local government for joint operation and maintenance of programs in youth conservation. Permits hiring of youths residing within county for program and specifies funds to be used in carrying it out. Allows a county program to be carried out independently of state programs that are being developed in this area. (See **SB 1064**, below). Chapter 1156.

### **Other Bills**

**AB 604 (Dymally)** and **AB 622 (Elliott)**. Provided for fixed apprenticeship ratios on public works. **AB 622** died in Assembly committee, and **AB 604** was referred to interim study by Assembly committee.

**AB 2488 (Monagan)**. Permits governing boards of junior college district and district maintaining

high school within the junior college district to enter contract under which 11th and 12th grade high school pupils may attend, and receive high school credit for, vocational education courses maintained by the junior college, and vice versa. Chapter 1983.

**SB 1064 (Cameron)**. Establishes a Youth Conservation and Training Program to be conducted under the policies of a Board of Directors composed of the Director of Conservation, the Superintendent of Public Instruction, the Director of Employment, the Director of Industrial Relations, and the Director of Youth Authority. Carries Federation amendments to provide that work projects developed under the program shall be confined to natural resource conservation projects which serve a useful public purpose and do not result in the displacement of regular workers. Under bill, a pilot project is to be established in San Bernardino County. Chapter 2051.

**SB 1332 (Stiern)**. Authorizes school districts, under rules and regulations adopted by the State Board of Education and the Superintendent of Instruction, to establish special programs in pre-vocational education in the 7th, 8th, and 9th grades for potential drop-out pupils who demonstrate an aptitude for available pre-vocational training. Chapter 1930.

**SB 1379 (Rees)**. Permits each County Superintendent of Schools, or School District with his approval, to establish and maintain a county-wide vocational high school for pupils in county. Provides for a county-wide tax for such schools of not to exceed ten cents per hundred dollars of assessed valuation for current expenses and five cents per hundred dollars of assessed valuation for capital outlay. Prescribes method of determining eligibility of pupils for admission to such schools. Chapter 1783.

## SOCIAL INSURANCE PROGRAMS

### **(Unemployment Insurance, Unemployment Disability Insurance, and Workmen's Compensation.)**

A program of calculated delay in the Assembly, combined with the tight control exercised by the Assembly leadership over key Assembly Committee units in their reporting of social insurance measures to the floor, made it impossible to break the inevitable log jam of bills that precluded effective action in the Upper House and condemned all major legislation to defeat. The story is long and involved, but it must be told.

The Federation's comprehensive program for

liberalizing and updating unemployment insurance, workmen's compensation, and unemployment dis-

ability insurance was introduced early in the session. In the Assembly, as the session moved into action, all social insurance bills affecting these programs were referred to subcommittees of the parent Committee on Finance and Insurance, which did not begin to function until well into March. Although hearings on pending legislation were conducted and tentative actions were taken, the subcommittees retained possession of the bills and did not report them back to the full committee with their recommendations until well into June. In each instance, the reports of the subcommittees were submitted as a whole, thus making it impossible for the full committee to consider recommendations of the subcommittee on separate bills.

The first report taken up was on June 6, covering the recommendations of the Subcommittee on Workmen's Compensation. Without any effort to explain the nature of the report, or to explain the contents of the bills being recommended for passage, the subcommittee recommendations were rammed through the full committee. Most of the committee members had only a vague knowledge of what was being recommended. Attempts of several members of the committee to demand an explanation of the report and consideration of the items being recommended were shut off on a motion on the previous question and the report was adopted.

The action on the Workmen's Compensation subcommittee report clearly established the pattern. Accordingly, the reports of the Subcommittee on Unemployment Insurance and Unemployment Disability Insurance were submitted on June 9 and adopted as a whole on that date.

Under the joint rules of the legislature, the effect of this long delay in the release of social insurance bills from committee was to delay floor action in the Assembly until the last days and even hours for consideration of bills originating in the Assembly. There was to be no time for adequate deliberations on the floor and the body of social insurance legislation approved by the Assembly was destined to become enmeshed in the sea of bills with which the lower house flooded the Senate in the closing days of the session.

### Workmen's Compensation

In workmen's compensation, the core of the Federation's program gave top priority to the provision of "long overdue" rehabilitation benefits

and legislation providing for basic reforms in the administration of workmen's compensation benefits. Other major benefit bills were aimed at removing the arbitrary limits on weekly benefits for temporary and permanent disabilities so as to permit the operation of the 65 percent wage loss principle to the great majority of industrially injured workers; converting the death benefit to a life pension concept; providing for retroactive payment for the waiting period; establishing full freedom of choice of doctor by injured workmen; liberalizing the permanent disability rating schedule; and other liberalization bills as designated by those marked with an asterisk below. Implementing legislation was introduced in the lower house by Assemblyman Byron Rumford and in the upper house by Senator Edwin Regan.

The core of the Federation's workmen's compensation program failed to survive the machinations of the Finance and Insurance Committee and its Workmen's Compensation subcommittee. The major workmen's compensation proposal released by the Committee was contained in **AB 2019**, authored by Assemblyman George Zenovich, as chairman of the Workmen's Compensation subcommittee. In essence, the Zenovich bill robbed permanently disabled workers in order to help offset a small increase in temporary disability benefits. The benefit improvements increased the minimum for temporary disabilities from \$25 to \$30 a week, and the maximum from \$70 to \$80 a week. This would have resulted in benefit increases of an estimated \$3.1 million a year. The net increase, however, was cut back to \$1.6 million by reducing benefits for permanent disability ratings below ten percent by \$1.5 million.

The tactics employed by the Assembly leadership to block the possibility of Federation amendments on the floor and to force approval of **AB 2019** on an "all or nothing" basis made a mockery of democratic processes.

As indicated, the workmen's compensation bills released by committee did not reach the lower house floor until the last few days allowed under joint rules for consideration of bills originating on the Assembly side. The less important measures were taken up in order as they appeared on file. Approval was won for two Federation-sponsored bills that were allowed out of committee—\***AB 421**, relating to the submission of evidence by workers in third party suits, and \***AB 429**, allowing the



commutation of subsequent injury fund awards—both by Rumford. In the process, also, the Federation was able to defeat several other bad bills on the floor, including a measure (AB 505—Thelin) requiring that Industrial Accident Commissioners have the qualifications of Superior Court judges. But AB 2019, the Zenovich bill, was passed on file (as a result of the author's unexplained absence) to preclude consideration until the deadline for consideration of Assembly bills was at hand. This was near midnight a full day after the clocks had been stopped arbitrarily to allow extra time for taking up Assembly bills before moving on to Senate measures.

As the deadline approached, the speaker announced to the Assembly in open session that any amendment adopted to a bill would send it out to reprint and he would adjourn the session before it could be returned and taken up. With the blessings of the Assembly leadership, Zenovich deliberately placed AB 2019 in this position to ward off Federation amendments which were known to be at the desk.

Thus by careful plotting on the part of the Assembly leadership, the stage was set for forcing approval of the Assembly bill without amendments. With Speaker Unruh at his post and wielding the gavel over the Assembly, Zenovich took up AB 2019. Assemblyman Edward Gaffney of San Francisco offered Federation amendments to remove the cutback in permanent disability benefits while retaining the modest increases in temporary disability benefits. Speaker Unruh tolerated a few minutes of debate and then gavelled the amendments down on a voice vote amid cries for a roll call, which were ignored by the Speaker. Speaker Unruh ruled that the necessary five members were not standing to require a roll call. Assemblyman Burton of San Francisco responded immediately by taking up a second set of amendments at the desk which accomplished the same purpose as the Gaffney amendments. This time it was clearly apparent even to those in the gallery that the necessary five votes were standing to demand a roll call. Speaker Unruh nevertheless gavelled the amendments down on a voice vote, again denying a roll call. AB 2019 was then passed on to the Senate with those inclined to support the Federation's amendments having no further opportunity to do so.

On the Senate side, AB 2019 ran into the log

jam of bills. The Zenovich bill was referred to the Senate Insurance and Financial Institutions Committee along with all other insurance measures that reached the upper house. Fighting the log jam of bills, the Federation moved to salvage the situation. Initial efforts succeeded when \*AB 429 was amended before the Insurance and Financial Institutions Committee to provide for the temporary disability benefit increase in AB 2019 without the cutback on permanent disability ratings. Both the amended Rumford bill and the Zenovich bill were taken under submission by this Senate policy committee, but only the Zenovich measure found its way to the upper house Finance Committee.

Final efforts by the Federation to remove the permanent disability restrictions from the Zenovich bill were made before the Finance Committee, and failed. The Zenovich bill, along with others, also failed to survive the chaos that engulfed the closing session in the Senate.

### Unemployment Insurance

In unemployment insurance, Assemblyman Edward Elliott introduced the Federation's legislative program. In essence, it was a program designed to restore the integrity of a social insurance system that has become essential to the prosperity of our modern industrial economy and that has been starved by a financing system which has allowed employers over the years, via the so-called merit rating system, to achieve tax cuts at the expense of the program's benefit structure. The legislature was urged to come to grips with the financing system and to enact benefit improvements that would largely parallel the more liberal unemployment disability insurance benefit structure.

Again, the Assembly leadership's program of protracted delay and confusion frustrated action along these lines. In an effort to overcome the Lower House situation, it became necessary for the Federation to take action on the Senate side in May by securing the introduction of a measure that embraced a number of labor-supported improvements in the badly lagging unemployment insurance program. As embodied in \*SB 1201, authored by Senator George Miller, the measure would have boosted the minimum weekly benefit from \$10 to \$25 and the maximum from \$55 to \$65 a week within the framework of a vastly liberalized benefit schedule based on uniform high quarter earnings steps of \$26.50. It also provided for repeal of the so-

called "lag quarter" rule which currently disqualifies some 19,000 otherwise eligible workers.

It was estimated by the Department of Employment that this Federation-sponsored measure would have increased benefits by an estimated \$56.7 million in a benefit year like 1963 without the necessity of modifying employer contributions. The bill also provided approximately the same amount for employers for repayment of federal Temporary Unemployment Compensation (TUC) benefits granted previously. In this respect, \*SB 1201 met with the approval of the Governor. Unfortunately, however, Senator Miller suffered a heart attack, and was prohibited by his doctors during the closing crucial weeks of the session from returning to the Senate. Without his indispensable leadership in the upper house, it became impossible to move \*SB 1201. Thus, any improvement in the unemployment insurance had to wait on the delaying tactics of the Assembly.

In the lower house, the focus of attention was necessarily directed to AB 1518 (Mills) — the major bill that was eventually released to the floor by the Assembly Committee on Finance and Insurance, along with another measure AB 547 (Burton) extending unemployment insurance coverage to farm workers.

Authored by Committee Chairman James R. Mills by amendment of another author's bill, AB 1518 embraced a reduced version of the benefit provisions of \*SB 1201, but, in fact, provided more "immediate" benefits for employers than jobless workers. The measure would have improved the benefit structure of unemployment insurance by about \$37 million a year while handing out some \$46 million to employers to avoid an automatic federal tax boost for the repayment of temporary unemployment compensation benefits provided by Congress in the recession year of 1958-59.

On the benefit side for jobless workers, AB 1518 provided for an increase in the minimum weekly benefit from \$10 to \$25, and the maximum from \$55 to \$60 a week within a revised benefit schedule based on high quarter earnings steps of \$27 instead of \$28. Further, it repealed the "lag quarter earnings" test. Initially also, it contained a provision rendering some 155,000 individuals ineligible by requiring earnings of \$200 in at least two quarters of the four quarter base period.

On the other hand, benefiting employers, AB

1518 provided for the transfer of \$34 million in trust funds to the federal government to help defray federal TUC obligations. Another \$9 million from the state's general fund was scheduled for transfer to the Department of Employment contingent fund. In addition, the contingent fund was to be used in the amount of \$3 million to pay administrative costs for the 1958 federal TUC program.

The Mills bill was rammed through the Assembly, which also, on a tight 42-35 vote, approved and sent to the Senate the Burton farm labor coverage bill.

The scene of battle again shifted to the Senate and the conservative controlled Insurance and Financial Institutions Committee, which by this time was laboring under a mountain of Assembly-approved bills with a short committee because of other simultaneous committee sessions. The Mills bill was given clearance by the Insurance and Financial Institutions Committee, but it became lost in the log jam of legislation as it moved toward the floor. The records of the Senate show that AB 1518 died in Senate Finance Committee.

AB 547, the farm labor extension bill, failed to clear the Insurance and Financial Institutions Committee.

The only benefit bill surviving the session was AB 1492 (Burton) which increases the minimum weekly benefit from \$10 to \$25, effective September 20, 1963, as recommended by the Governor in his January message to the Legislature. Estimates of the Department of Employment indicate that the approved measure will affect about 96,000 claimants and will increase benefits by approximately \$3 million in a benefit year like 1963.

### Unemployment Disability Insurance

The Federation's unemployment disability insurance program was designed to build upon the substantial improvements enacted at the 1961 session, which established a self-adjusting mechanism in the benefit structure to assure a top benefit equal to two-thirds of average weekly wages in covered employment (now \$75 a week) and prohibited the private carriers from selecting preferred risks adverse to the state fund in the financing of the program. Under rules and regulations adopted by the Department pursuant to the 1961 legislation and upheld by the State Supreme Court in a Federation-initiated case, private carriers were permitted to participate in the state disability

program on the basis of their claim to "greater efficiency," rather than by feeding at the public trough on subsidies provided by the state program.

To assure the solvency of the state program on a long term basis, the Federation's D. I. proposals contained two basic financing bills aimed at providing for proper funding of the program beyond 1965, through the establishment of an escalator clause on taxable wages to parallel the escalator clause on the benefit side, and requiring monthly remittance of employee contributions by employers to smooth out the peaks and valleys in the collection of funds to avoid any possibility of temporary, short term insolvency. On the benefit side, bills were introduced to extend coverage, provide for retroactive payment of waiting period benefits, add dependency benefits in addition to the basic weekly benefits, provide for the payment of benefits for injuries or illnesses arising in connection with pregnancy, along with other measures designed to remove inequities in the program. The entire Federation's D.I. program was introduced in the lower house by Assemblyman Robert Crown.

In the course of the session, however, the Federation was forced to wage a defensive battle to block a renewed effort on the part of the private insurance carriers to raid the State Disability Fund through the re-institution of so-called adverse risk selection by the voluntary plans. This raid was effectively repulsed, but the Federation's positive program was lost in the confusion and delay described above that circumvented action on all major social insurance legislation.

Acting on recommendation of the Lower House Finance and Insurance Committee and its subcommittee on disability insurance, the Assembly approved the Federation's two basic financing measures providing for the escalation of the taxable wage base after 1966 (\*AB 356) and requiring monthly remittance of employee contributions by employers (\*AB 370).

The Finance and Insurance Committee also released a modified Federation-sponsored measure, \*AB 358, which would have provided for the payment of benefits while hospitalized for disabilities arising out of pregnancy. The measure, however, was killed by the Assembly Ways and Means Committee upon argument that even with the Federa-

tion's financing bills, the state fund may not be in a position to immediately make payment of additional benefits. This action by the Ways and Means Committee was brought into sharp question when, in fact, with the two Federation-sponsored financing bills mentioned above still pending in the Senate where they eventually died, the same Committee gave its approval to the "adverse selection" bill of the private carriers which would have required a direct subsidy of several million dollars out of the state fund from worker contributions to the voluntary plans. The Department of Employment's actuary testified before the Legislature that the "adverse selection" bill would have cost the state fund between \$1 to \$4 million a year and definitely would have endangered its solvency.

The private carrier assault against the unemployment disability insurance fund was defeated in the Assembly on the final day of the session. The measure involved was SB 784, authored by Senator Thomas Rees of Los Angeles county, and would have overturned Department of Employment regulations implementing 1961 Federation-sponsored legislation requiring voluntary plans to carry their fair share of the so-called "adverse risk."

Ten years of Federation effort that culminated in the 1961 legislation prohibiting "cream-skimming" of risks by private carriers would have gone down the drain with the passage of SB 784.

The Rees bill sailed through the Senate and was "greased" for lower house passage as it breezed through not only the Assembly Committee on Finance and Insurance, but also the Assembly Ways and Means Committee, which earlier had rejected the pregnancy benefit bill. Only an all-out effort by the Federation, assisted by central labor councils and other affiliates, made it possible to defeat the Rees bill on the floor of the Assembly. SB 784 was refused passage by a vote of 22 ayes to 48 noes.

## Unemployment Insurance

### Good Bills

\*AB 191 (Elliott). Extended unemployment and unemployment disability insurance coverage to employees of non-profit organizations. Died in Assembly committee.

\*AB 192 (Elliott). Limited casual employee exemption by deleting 24-day requirement in definition of "em-

ployment." Passed the Assembly. Died in Senate committee.

**\*AB 193 (Elliott).** Extended both U. I. and D. I. coverage to public employees, agricultural workers and employees of non-profit organizations. (See also AB 547.) Died in Assembly committee.

**\*AB 194 (Elliott).** Extended U. I. and D. I. coverage to public employees. Died in Assembly committee.

**\*AB 195 (Elliott).** Clarified intent of legislature as to seek-work requirement. Passed the Assembly. Died in Senate committee.

**\*AB 196 (Elliott).** Tightened the casual employment exemption. Died in Assembly committee.

**\*AB 200 (Elliott).** Made person eligible for benefits while receiving holiday, vacation or severance pay after a layoff. Died in Assembly committee.

**\*AB 201 (Elliott).** In regard to alleged discharges for misconduct and voluntary quits, required chargeback against employer's reserve account unless vacated job is filled within five days. Died in Assembly committee.

**\*AB 202 (Elliott).** Repealed so-called 75 percent rule on eligibility. Died in Assembly committee.

**\*AB 203 (Elliott).** Increased the tax base for employer contributions from \$3800 to \$6000 and provided for escalation of tax base by \$2 for every \$100 increase in average weekly total wages commencing January 1, 1965. Died in Assembly committee.

**\*AB 204 (Elliott).** Increased taxable wage base for employer contribution from \$3800 to \$6000 beginning with 1964 and eliminated successor "tack on" provision of Section 930.5. Died in Assembly committee.

**\*AB 205 (Elliott).** Required benefits to be paid for the one week waiting period, when period of unemployment exceeds that week. Died in Assembly committee.

**\*AB 206 (Elliott).** Prohibited disqualification because of non-availability for work up to 2 days where the cause is a flood, fire, earthquake, pestilence, tornado or other act of God. Died in Assembly committee.

**\*AB 207 (Elliott).** Removed ineligibility of claimant who is receiving unemployment insurance benefits from the U.S. Died in Assembly committee.

**\*AB 208 (Elliott).** Repealed experience rating in financing of unemployment insurance program, and imposed 3.5 percent contribution rate on all employers. Died in Assembly committee.

**\*AB 220 (Elliott).** Extended protection for a claimant refusing unsuitable work to cover all work rather than just new work. Passed Assembly vote by a vote of 54-18. Died in Senate committee.

**\*AB 221 (Elliott).** Removed disqualification of a claimant from receiving retraining benefits for any week in which he would be entitled to receive retraining benefits under any federal program. Died in Assembly committee.

**\*AB 222 (Elliott).** Allowed only one disqualification to be assessed as to each set of facts. Died in Assembly committee.

**\*AB 223 (Elliott).** Made five-week mandatory disqualification for misconduct discharge or voluntary quit a flexible assessment by the Department within a maximum of five weeks. Died in Assembly committee.

**\*AB 224 (Elliott).** Made conclusive the presumption that an individual was not discharged for misconduct or did not quit voluntarily if the employer fails to submit the required information sufficient to overcome the presumption within a five-day period. Died in Assembly committee.

**\*AB 225 (Elliott).** Eliminated the penalty for forfeiture of benefits by an individual convicted of fraud in obtaining or increasing benefits. Died in Assembly committee.

**\*AB 243 (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 244 (Elliott).** Increased the maximum duration of benefit payments from 26 weeks to 39 weeks, and repealed 50 percent rule on total wage-loss compensation. Died in Assembly committee.

**\*AB 245 (Elliott).** Increased from \$12 to \$20 the amount which a partially employed individual may earn without reduction of his weekly benefit amount. Died in Assembly committee.

**\*AB 246 (Elliott).** Eliminated provisions making filing of a first claim for an extended duration benefit an election by the individual to claim such benefits for the weeks they are subsequently payable, to the exclusion of filing a new claim for regular unemployment insurance benefits. Died in Assembly committee.

**\*AB 247 (Elliott).** Assessed against employer's reserve account a flexible penalty of two to ten times claimant's maximum weekly benefit amount when benefits are denied because of employer's willful misstatement or withholding of information; provided for an additional charge of eight times the weekly benefit amount for a successive violation. (The essential provisions of this Federation bill were amended into AB 624 and enacted into law.) Died in Assembly committee.

**\*AB 248 (Elliott).** Froze base period earnings for person suffering disability exceeding 60 days but not more than two years in duration. Died in Assembly committee.

**\*AB 249 (Elliott).** Reduced statute of limitations on recovery of overpayments. Died in Assembly committee.

**\*AB 250 (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. Died in Assembly committee.

**\*AB 251 (Elliott).** Increased weekly benefit amount

by \$7 for the first dependent and \$5 for each additional dependent, not to exceed six dependents. Died in Assembly committee.

**\*AB 252 (Elliott).** Repealed so-called lag quarter provision. (See also **\*SB 1201** and **AB 1518**.) Died in Assembly committee.

**\*AB 253 (Elliott).** Increased from \$55 to \$75 the maximum weekly benefit within a liberalized schedule containing uniform high quarter earnings steps of \$25, instead of present \$28 steps. Added an escalator clause, as in D. I. benefits schedule, to provide for annual adjustments in the maximum benefit to equal two-thirds of average weekly earnings in covered employment. Died in Assembly committee.

**AB 547 (Burton).** Extended coverage to agricultural workers with employer contributions to begin in October, 1963, and worker benefits on February 28, 1965. Passed by the Assembly by vote of 42-35. Died in Senate committee.

**AB 624 (Waldie).** Provides for assessment by Director of Employment of flexible penalty of two to ten times a claimant's maximum weekly benefit amount against an employer's reserve account when benefits are denied because of an employer's willful misstatement or withholding of information. Contains provisions taken from Federation-sponsored legislation in **\*AB 247 (Elliott)**. Chapter 1544.

**AB 1492 (Burton).** Increases from \$10 to \$25 the minimum weekly benefit amount and makes corresponding changes in eligibility requirements to avoid any disqualifications. Chapter 1565.

**AB 2569 (Elliott).** As introduced, provided for payment of retraining benefits during processing period prior to actual retraining. As amended and passed by the Assembly clarified eligibility for retraining benefits of persons whose potential is "substantially diminished by medically proven disability" and persons whose retraining is sponsored by the Vocational Rehabilitation Service. Died in Senate committee.

**\*SB 1201 (Miller).** As introduced, clarified legislative intent as to seek work requirement. In effort to overcome long delay in consideration of liberalization bills in lower house, was amended to include several labor-supported improvements in U. I. program: (1) Increased maximum weekly benefit from \$55 to \$65; (2) Boosted minimum benefit from \$10 to \$25 a week with corresponding changes in the 75 percent rule to prevent disqualifications at the bottom end of the schedule; (3) Liberalized weekly benefits between the top and bottom by providing for graduated benefits in a uniform schedule geared to \$26.50, instead of the present \$28, high quarter earnings steps; (4) Repealed so-called lag quarter provision which currently disqualifies some 19,000 otherwise eligible workers each year. Would have increased total benefits by \$56.7 million in a year like 1963, according to Depart-

ment of Employment estimates. Also provided for transfer of approximately same amount from the unemployment trust fund to U.S. Treasury for payment of extended benefits distributed under the federal Temporary Unemployment Compensation Act of 1958. Died in Senate Committee.

**SJR 5 (Regan).** Memorializes Congress to appropriate additional funds for establishment of itinerant unemployment insurance offices. Filed with the Secretary of State. Chapter 7.

### Bad Bills

**AB 1852 (Casey).** Rendered ineligible 124,000 claimants by converting the base period earnings test to a "weeks of earnings" test requiring \$20 of earnings during at least 20 weeks of the base period with a total base period wage of not less than \$600. Died in Assembly committee.

**AB 1856 (Stevens).** As introduced, disqualified person leaving his job for good cause that is not attributable to the employer. As amended and passed by both the Assembly and Senate, prohibited charge back to employer account where good cause is not attributable to employer. Pocket-vetoed by Governor.

**AB 2149 (Casey).** Combined an upward revision of benefits schedule with a "weeks of earnings" test similar to **AB 1852** above. Effect of bill would have been to render ineligible 124,000 and cut total benefits by \$65.7 million in a year like 1963. Died in Assembly Committee.

**AB 2331 (Veysey).** Prohibited the payment of state retraining benefits when a federal program for the payment of retraining benefits is operative even though programs complement each other without overlapping. Passed the Assembly. Died in Senate committee.

**AB 2794 (Veysey).** Required that a claimant reside in California at time of claim and during the time he receives benefits. Also required claimant to accept employment unrelated to usual occupation, combined an increase in benefits with a reduction in duration of payments, and otherwise greatly weakened the U. I. program. Referred to interim study by the Assembly committee.

**AB 2797 (Greene).** Provided an additional penalty for failure to accept suitable employment by requiring that a person who twice refuses offers of suitable employment must receive wages in excess of five times his weekly amounts before he is eligible for benefits. Applied only if a member of the claimant's immediate family was also receiving benefits at the time of refusal of second offer. Died in Assembly committee.

**SB 1139 (Rees).** Provided that unemployment compensation benefit checks have printed thereon: "This payment is provided from taxes paid by employers." Passed both houses. Pocket-vetoed by Governor.

**SB 1140 (Rees).** Required that search for suitable work include requirement that applicant report the places where he applied for work during the preceding week. Died in Assembly committee.

**SB 1172 (Grunsky).** As introduced, excluded non-citizen non-residents from coverage. Amended to contain an average weekly wage formula, a "weeks of earnings" test for eligibility and other restrictive changes. Died in Senate committee.

### Other Bills

**AB 1518 (Mills).** As introduced, bill was authored by Assemblyman Bane, modifying the disqualification provisions regarding domestic quits, so-called 75 percent rule, and "lag quarter" earnings. Later amended to make it vehicle for committee bill with Finance and Insurance Chairman James Mills as lead author. As so amended and passed by Assembly on 58-11 roll call vote, provided \$34 million increase in worker benefits by repealing "lag quarter" disqualification, increasing minimum benefit from \$10 to \$25 a week, and boosting the maximum from \$55 to \$60 a week within a revised benefit schedule based on \$27 high quarter earnings steps. Also included \$46 million in benefits for employers by transferring \$34 million from unemployment trust fund to U.S. Treasury for payment of extended benefits disbursed under federal Temporary Unemployment Compensation Act of 1958, providing for a \$9 million General Fund transfer to the Department of Employment contingent fund, and using the contingent fund in the amount of \$3 million to pay administration of the 1958 TUC program. An earlier version of the committee bill also rendered some 155,000 claimants ineligible by establishing a base period earnings test of \$200 in each of two quarters. Died in Senate committee.

**AB 1810 (Bagley).** Relieved reserve account of a base period employer from charges on account of benefits paid to claimant who was a student hired by the employer on a temporary basis during a vacation period. Passed legislature and pocket-vetoed by Governor.

**AB 2157 (Rumford).** Relieves base period employer from reserve account chargebacks in certain cases involving continuous employment on a part-time basis of an individual who is receiving unemployment compensation benefits. Chapter 1640.

**AB 2758 (Waldie).** Excludes from "employment" director of corporation or association as such in attending board meeting. Chapter 1663.

**Assembly House Resolution 98 (Waldie).** Provides for Assembly interim committee study of the financing of unemployment insurance benefits and related eligibility issues. Adopted by the Assembly on June 18, 1963.

**Assembly House Resolution 205 (Thelin).** Requires Department of Employment to review unemployment insurance program in the light of Section 326 of the U. I. Code relating to excessive cost industries and possible higher contribution

rates for such industries. Adopted by the Assembly on June 14, 1963.

**SB 704 (Sturgeon).** Authorized exclusion from coverage of a student attending college and performing services for state college auxiliary organization which is exempt from federal income taxation and is operated exclusively for charitable, scientific or educational purposes. Chapter 952.

**SB 1136 (Rees).** Provides that coverage of non-profit organization on a cost added basis under Sections 711 and 714 become effective if approved by Congress. Chapter 2016.

**SB 1512 (Dolwig).** Deferred penalty and interest for a contractor who must assume the liability of a defaulting intermediary until 30 days after notice. Pocket-vetoed by Governor.

## Unemployment Disability Insurance

### Good Bills

**\*AB 352 (Crown).** Provided that two consecutive periods of disability due to same or related causes should be considered one disability benefit period if separated by not more than seven days rather than fourteen days. Died in Assembly committee.

**\*AB 353 (Crown).** Reduced the statute of limitation on overpayments by providing that overpayments recovery by offset against benefits must be made within the benefit year or disability period commencing during the next year after overpayment notice. Died in Assembly committee.

**\*AB 354 (Crown).** Specified that disallowance of a lien claim under any Labor Code provision shall not form the basis of a D.I. overpayment determination and shall be fully discharged by payment or compromise and release under workmen's compensation. Died in Assembly committee.

**\*AB 355 (Crown).** Extended coverage to public employees. Died in Assembly committee.

**\*AB 356 (Crown).** Provided a taxable wage base escalator beyond scheduled \$5600. Commencing January 1, 1966, increased tax base by \$100 for each increase of \$2 in the average weekly total wage above \$92. The bill was designed to parallel present escalation of the maximum weekly benefit amount and provide long-term financing of the fund. Passed Assembly by a vote of 75-1. Died in Senate committee.

**\*AB 357 (Crown).** Removed the trade dispute disqualification presumption. Passed the Assembly by a vote of 49-23. Died in Senate committee.

**\*AB 358 (Crown).** As introduced, extended benefits to illness or injury caused by or arising in connection with pregnancy. As reported out by Assembly Finance and Insurance Committee, provided for payment of bene-

fits while hospitalized for disabilities arising out of pregnancy. Referred to interim study by Assembly Ways and Means Committee.

**\*AB 359 (Crown).** Provided for retroactive payment of 7-day waiting period when disability extends beyond seven days, and removed waiting period altogether for disabilities caused by accident. Died in Assembly committee.

**\*AB 360 (Crown).** Extended duration from 26 to 39 weeks. Died in Assembly committee.

**\*AB 361 (Crown).** Repealed obsolete provision regarding adverse selection. Died on Senate floor.

**\*AB 362 (Crown).** Provided dependency benefit of \$7 for the first dependent and \$5 for each additional dependent, not to exceed six. Died in Assembly committee.

**\*AB 363 (Crown).** Prohibited self-insurance of voluntary plans by employers. Died in Assembly committee.

**\*AB 364 (Crown).** Eliminated requirement that an employer must consent to the establishment of a so-called voluntary plan. Died in Assembly committee.

**\*AB 365 (Crown).** Required self-insured voluntary plans to make computations on all claims, including short term claims. Died in Assembly committee.

**\*AB 367 (Crown).** Permitted transfer of all employee contributions made to Unemployment Insurance Trust Fund to the Disability Fund. Died in Assembly committee.

**\*AB 368 (Crown).** Removed authority from Department of Employment to invest disability insurance funds in buildings. Died in Assembly committee.

**\*AB 369 (Crown).** Prohibited assignment of benefits to hospitals. Died in Assembly committee.

**\*AB 370 (Crown).** Provided for monthly remittance by employers of employee contributions. Passed Assembly and died on Senate floor.

**\*AB 371 (Crown).** Increased the amount of daily additional benefits during confinement in hospital from \$12 to \$20. Died in Assembly committee.

**\*AB 372 (Crown).** Provided that D. I. checks shall bear prominent imprint: "This is not payment of workmen's compensation benefits." Passed Assembly and died on Senate floor.

**\*AB 373 (Crown).** Authorized the "freezing" of D. I. wage credits where a person suffers an industrial disability exceeding 60 days and not more than two years. Died in Assembly committee.

### Bad Bills

**AB 842 (Belotti).** Authorized agricultural employers to withhold transmission of employee contributions for a period of over one year. Died in Assembly committee.

**AB 1085 (Cologne).** Restricted agricultural coverage to include only agricultural workers earning more than

\$100 per month from an employer. Died in Assembly committee.

**SB 698 (Rees).** Extends for another two years period during which amendments to voluntary plans may be approved by the Director of Employment. Chapter 1212.

**SB 784 (Rees).** As amended and passed by Senate by 33-4 vote, established new standards for determination of substantial adverse selection of preferred risks by voluntary plan carriers. Established 20 per cent tolerance for private carriers and included only aged and female count as adverse selection factors while ignoring wages. Effect of amendment was to repeal standards promulgated by the Department and upheld in courts in Federation-initiated suit, and require workers to subsidize "cream skimming" by private carriers. Refused passage on Assembly floor by vote of 48-22.

### Other Bills

**AB 640 (Willson).** Provides for temporary borrowing by disability insurance fund to tide it over during low period caused by irregular submission of employee contributions by employers. Chapter 1547.

**AB 997 (Bane).** Made additional benefit while hospitalized payable to a nursing and convalescent home. Pocket-vetoed by Governor.

**AB 1369 (Knox).** Permits disability coverage on an individual elective basis by self-employed individuals under certain circumstances. Established contribution rate for such individual at 1.25 per cent. Chapter 1563.

**AB 1493 (Burton).** Increases the minimum weekly benefit amount from \$10 to \$25. Increase is estimated at \$1.4 million a year and will benefit 25,000 claimants. Chapter 1864.

## Workmen's Compensation

### Good Bills

**\*AB 420 (Rumford).** Tightened self-insurance provision by providing that an employer who induces claimant to accept less compensation than that due or who makes it necessary for claimant to resort to proceedings to secure compensation shall lose his certificate to self-insure. Died in Assembly committee.

**\*AB 421 (Rumford).** Permitted introduction of either or both, rather than only either, evidence of loss of earning capacity and the amount of disability or evidence of death benefit paid in an action in which an employee sues against a third party for damages arising out of an industrial accident. Passed Assembly and died in Senate committee. (Senate companion, **\*SB 231 (Regan)**, died in Senate committee).



**\*AB 422 (Rumford).** Made it a misdemeanor for an employer to discharge or refuse to hire, because of injury, an individual who incurred such industrial injury while in the employment of the employer. Died in Assembly committee.

**\*AB 423 (Rumford).** Imposed primary liability for workmen's compensation on employer. Died in Assembly committee. (Senate companion, **\*SB 230 (Regan)**, died in Senate committee.)

**\*AB 424 (Rumford).** Provided that after 10 years or more of service of fire fighter and law enforcement employees the presumption that a hernia, heart trouble or pneumonia arose out of and in the course of their employment shall become conclusive rather than disputable. Died in Assembly committee. (Senate companion, **\*SB 782 (McAteer)**, relating to heart trouble only, was referred to interim study by Senate committee.)

**\*AB 425 (Rumford).** Limited casual exemption by providing for exclusion from workmen's compensation law of employees whose employment is casual only rather than both casual and not in the course of the trade of his employer. Died in Assembly committee. (Senate companion, **\*SB 228 (Regan)**, died in Senate committee.)

**\*AB 426 (Rumford).** Extended full coverage to domestic workers. Died in Assembly committee.

**\*AB 427 (Rumford).** Required payment of seven percent interest on late temporary disability payments from date of determination. Died in Assembly committee. (Senate companion, **\*SB 213 (Regan)** died in Senate committee.)

**\*AB 428 (Rumford).** Permitted an injured employee to institute proceedings for medical, surgical and hospital benefits at any time after the date of the injury and during his lifetime. Granted I.A.C. continuing jurisdiction for such purposes. Died in Assembly committee. (Senate companion, **\*SB 214 (Regan)**, died in Senate committee.)

**\*AB 429 (Rumford).** As introduced, repealed prohibition against commuting to a lump sum benefit payments from Subsequent Injuries Fund. As amended and passed by the Assembly, required consent of the Department of Finance. Died in Senate committee. (Senate companion, **\*SB 215 (Regan)**, died in Senate committee.)

**\*AB 430 (Rumford).** Provided for payment of injured worker's attorney's fees by employer or insurer when an award is recovered by the injured employee or the employee's dependent. Died in Assembly committee. (Senate companion measure, **\*SB 216 (Regan)**, died in Senate committee.)

**\*AB 431 (Rumford).** Removed the offset of Subsequent Injury Fund payments against other payments received, and prohibited Attorney General from obtaining expenses incurred in defense of the Subsequent Injury Fund from that fund. Died in Assembly committee. (Senate companion, **\*SB 217 (Regan)**, died in Senate committee.)

**\*AB 432 (Rumford).** Provided for revocation of certificate of self-insurance for discharging an employee

solely because he incurred an industrial injury. Died in Assembly committee. (Senate companion, **\*SB 229 (Regan)**, died in Senate committee.)

**\*AB 433 (Rumford).** Increased the maximum weekly benefit for both permanent and temporary disabilities from \$52.50 and \$70.00 respectively to \$150 per week for both. Also increased minimum permanent disability from \$20 to \$25. Died in Assembly committee. (Senate companion, **\*SB 233 (Regan)**, died in Senate committee.)

**\*AB 434 (Rumford).** Makes employer liable for serious and willful misconduct of safety engineer and payment of penalty. Died in Assembly committee.

**\*AB 435 (Rumford).** Repealed \$7500 limit on the penalty recoverable due to serious and willful misconduct on the part of an employer. Died in Assembly committee. (Senate companion measure, **\*SB 235 (Regan)**, died in Senate committee.)

**\*AB 436 (Rumford).** Repealed requirement of knowledge of safety order by a particularly identified and named person who is either the employer or an employer's representative. Died in Assembly committee. (Senate companion, **\*SB 224 (Regan)**, died in Senate committee.)

**\*AB 437 (Rumford).** Required that employers petitioning to reduce an award based on a final permanent disability rating may be required to pay the injured employee's attorney's fee in the event that the employer's petition is denied. Died in Assembly committee. (Senate companion, **\*SB 225 (Regan)** died in Senate committee.)

**\*AB 438 (Rumford).** Reduced from 12 to 7 days the time within which the employer or insurer must furnish a panel of three new physicians from which the injured employee may choose. Died in Assembly committee. (Senate companion, **\*SB 226 (Regan)**, died in Senate committee.)

**\*AB 439 (Rumford).** Provided for retroactive payment of seven-day waiting period when the disability extends beyond seven rather than the existing 49 days. Died in Assembly committee. (Senate companion, **\*SB 223 (Regan)**, died in Senate committee.)

**\*AB 440 (Rumford).** Provided that temporary disability payments from one injury shall continue during the entire period of temporary disability, repealing present limit of 240 compensable weeks. Amended to increase the maximum benefit for temporary disability from \$70 to \$150. Died in Assembly committee. (Senate companion, **\*SB 221 (Regan)**, died in Senate committee.)

**\*AB 441 (Rumford).** Provided for payment of temporary disability benefits until injured worker is either returned to normal employment or until determination of his permanent disability rating. Died in Assembly committee.

**\*AB 442 (Rumford).** Provided dependency benefits, payable during temporary disability, in the amount of an additional \$7 for the first dependent and \$5 for each additional dependent up to six. Died in Assembly committee. (Senate companion, **\*SB 219 (Regan)**, died in Senate committee.)

**\*AB 443 (Rumford).** Increased life pension in permanent disability cases to provide a compensation rate equal to the permanent disability rating 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. (Senate companion, **\*SB 220 (Regan)**, died in Senate committee.)

**\*AB 444 (Rumford).** Provided free choice of physician at the expense of the employer and made other changes relating to medical treatment. Died in Assembly committee. (Senate companion measure, **\*SB 232 (Regan)**, died in Senate committee.)

**\*AB 445 (Rumford).** Established revised formula for determining average weekly wages in computation of benefit amount. Died in Assembly committee. (Senate companion, **\*SB 234 (Regan)**, died in Senate committee.)

**\*AB 446 (Rumford).** Established program of rehabilitation training, with maintenance benefits payable at the temporary disability rate, in addition to all other benefits. Referred to interim study by Assembly committee. (Senate companion, **\*SB 227 (Regan)**, died in Senate committee.)

**\*AB 447 (Rumford).** Converted death benefits to a pension payable at the maximum temporary disability rate until death or remarriage, with a 25 percent increase for dependent children. Died in Assembly committee. (Senate companion, **\*SB 222 (Regan)**, died in Senate committee.)

**\*AB 448 (Rumford).** Established a Division of Workmen's Compensation Insurance within the Department of Industrial Relations in order to supervise the adequacy of medical care, audit the promptness and accuracy of benefit payments and provide information to victims of work injuries. Referred to interim study by the Assembly committee. (Senate companion, **\*SB 211 (Regan)**, died in Senate committee.)

**\*AB 449 (Rumford).** 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 were no eligible heirs to whom the funds could go. Died in Assembly committee. (Senate companion, **\*SB 218 (Regan)**, died in Senate committee.)

**\*AB 450 (Rumford).** Provided for ten percent allocation out of workmen's compensation premiums for financing rehabilitation benefits proposed in **\*AB 446**. Referred to interim study by Assembly committee. (Senate companion, **\*SB 209 (Regan)**, died in Senate committee.)

**\*AB 451 (Rumford).** Required workmen's compensation premium rates be set by Insurance Commissioner based on loss experience of state compensation insurance fund. Died in Assembly committee. (Senate companion, **\*SB 210 (Regan)**, died in Senate committee.)

**\*AB 452 (Rumford).** Provides for payment of employee's attorney's fee by employer in cases where employer unsuccessfully petitions for a writ of review from

an award. Died in Assembly committee. (Senate companion **\*SB 212 (Regan)**, died in Senate committee.)

**AB 458 (Petris).** Provided that employee could not be denied employment because of compensable injury unless the employer shows there is no job that employee is capable of doing. Referred to interim study by Assembly committee.

**AB 826 (Rumford).** Required posting notice of compensation carrier at employer's headquarters and at each branch or field office. Passed Assembly and died in Senate committee.

**AB 2665 (Dymally).** Provided for more equitable determination of average weekly earnings of certain workers employed in the construction industry. Referred to interim study by Assembly committee.

**SB 1155 (Holmdahl).** Increases from \$400 to \$600 the burial expense benefits which may be paid to certain members of the State Employees' Retirement System. Chapter 1467.

### **Bad Bills**

**AB 505 (Thelin).** Required that future I.A.C. Commissioners have the same qualifications as a judge of the superior court. Died on Assembly floor by vote of 39 to 20.

**AB 1513 (Lanterman).** Excluded from coverage an injury or death caused or contributed to by any idiopathic seizure or epileptic attack. Died in Assembly committee.

**AB 1514 (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 1538 (Stevens).** Eliminated the power of I.A.C. on own motion, to grant reconsideration within 60 days after the filing of an order, decision or award made by a referee or commissioner. Died in Assembly committee.

**AB 1539 (Stevens).** Placed \$75 minimum and \$750 maximum on the ten percent penalty provision for unreasonable delay or refusal to pay benefits. Died on Assembly floor by a vote of 38-27.

**AB 1540 (Stevens).** Prohibited allowance of any percentage of permanent disability rating for subjective complaints and prohibited consideration of evidence of subjective complaints. Referred to interim study by Assembly committee.

**AB 1541 (Stevens).** Narrowed definition of injury by excluding disability or death due to cardiac or vascular disease, cancer, or emphysema. Died in Assembly committee.

**AB 1542 (Stevens).** Imposed severe restrictions on commutation of awards in regard to permanent disability ratings based wholly or partially on subjective complaints. Died in Assembly committee.

**AB 1641 (Thelin).** Reduced permanent disability ratings for disabilities from combined effects of prior disease and subsequent compensable injury. Died in Assembly committee.

**AB 1642 (Thelin).** Weakened provision that workmen's compensation law shall be liberally construed. Died on Assembly floor by vote of 42-23.

**AB 1645 (Veysey).** Prohibited commutation of permanent disability benefits based on subjective factors until one year from the date of determination. Died in Assembly committee.

**AB 1647 (Flournoy).** Permitted agreement as a condition of initial employment that the employer shall not be liable for certain pre-existing conditions. Died in Assembly committee.

**AB 1690 (Casey).** Provided for delayed payment of benefits for portions of permanent disability based on subjective complaints. Died in Assembly committee.

**AB 1726 (Casey).** Prohibited consideration of subjective symptoms or cosmetic changes in determining existence of permanent disability. Died in Assembly committee.

**AB 1727 (Casey).** Prohibited consideration of subjective complaints, anatomical, physiological, functional or cosmetic changes in determining percentage of permanent disability. Died in Assembly committee.

**AB 1830 (Zenovich).** Provided that the filing of a compromise and release agreement would stay all other proceedings and suspend the passage of all periods of time within which to act. Died in Assembly committee.

**AB 1839 (Thelin).** Prohibited consideration of subjective complaints or anatomical, physiological, functional or cosmetic changes in determining the percentage of permanent disability. Died in Assembly committee.

**AB 1840 (Thelin).** Provided that the members of the I.A.C. would be the referees of the commission with greatest seniority and the chairman would be selected by the commissioners. Died in Assembly committee.

**AB 1923 (Ashcraft).** Severely restricted payment of benefits for permanent disabilities of less than 70 percent; provided no such payment shall be made for any week in which an individual is eligible to receive unemployment insurance benefits whether he receives them or not and stipulated that payment should be confined exclusively to partial reimbursement of the wage loss based on the difference between previous earnings and current actual weekly earnings. Made other changes. Referred to interim study by Assembly committee. (See **AB 2019** and permanent disability restrictions embodied in committee bill.)

**AB 1926 (Ashcraft).** Provided a restrictive method of determining average weekly earnings. Referred to interim study by Assembly committee.

**AB 2019 (Zenovich).** As originally authored by Casey, reduced permanent disability payments for disability ratings of less than 20 percent. Amended into committee bill with Assemblyman Zenovich, chairman of the Finance and Insurance Subcommittee on Workmen's Compensation, as lead author. As so amended, increased the minimum weekly benefit for temporary disabilities from

\$25 to \$30 a week, and the maximum for temporary disabilities from \$70 to \$80 a week; combined this with a reduction in benefits for permanent disability ratings below 10 percent. The temporary disability benefit increases would have boosted benefits by an estimated \$3.1 million a year, but the cutback in permanent disability benefits by \$1.6 million a year would have reduced this to a net increase of \$1.5 million. Passed the Assembly and died in Senate committee.

**AB 2948 (Beilenson).** Eliminated benefit payments for permanent disabilities of less than 5 percent. Would have cut benefits by many millions of dollars. Died in Assembly committee.

**AB 2949 (Beilenson).** Reduced compensation for death by allowing compensation only in the proportion that the death is attributable to an injury when a compensable injury and pre-existing disease concur to cause death. Referred to interim study by Assembly committee.

**SB 691 (McCarthy).** Made applicable also to employer's insurance carrier the provision that employee's right to recover workmen's compensation is his exclusive remedy. Died in Senate committee.

**SB 916 (Sturgeon).** Prohibited commutation of permanent disability award until one year after date of the rating if any interested party makes an objection. Died in Senate committee.

**SB 939 (Burns).** Restricted benefit payments when injury relates to loss of hearing. Referred to interim study by Senate committee.

**SB 1548 (Rees).** Allowed employer to recover, in a suit by an employee against a third party, not only any amount which he has paid, but also any amount which he may become obligated to pay. Passed by the Senate. Died in Assembly committee.

## Other Bills

**AB 144 (Moreno).** Establishes that, when employer of pupils in work education programs elects to afford coverage, school district shall not be considered as employer for workmen's compensation purposes. Chapter 262.

**AB 938 (Henson).** Permits IAC to determine priorities of liens against compensation payments in cases where there is more than one lien. Chapter 1556.

**AB 1704 (Waite).** Authorizes IAC, at any time after application for compensation and prior to termination of jurisdiction, upon agreement of any party to the matter to pay cost, to direct injured employee to be examined by doctor either selected by the commission or agreed upon by parties. Chapter 2181.

**AB 1829 (Zenovich).** Makes various procedural changes in workmen's compensation. Chapter 1575.

**AB 1831 (Zenovich).** Provides that no award of compensation shall be rescinded, altered, or amended after five years from the date of injury except upon petition by the party in interest filed within five years and any counter-petition seeking other relief filed by the adverse party within thirty days of the original petition raising issues in addition to those raised by such original petition. Chapter 1866.

**AB 1832 (Zenovich).** Provided that any party to a workmen's compensation proceeding who has executed a release or compromise may withdraw it at any time before the IAC approves it. Provided also that when such release or compromise is filed, all other proceedings are stayed, and that the time in which to act is suspended until twenty days after service of the commission order. Passed by the legislature and pocket-vetoed by the Governor.

**AB 1833 (Zenovich).** Provided that any party to a workmen's compensation proceeding may challenge the referral of the proceeding to a particular referee. Passed the legislature and pocket-vetoed by the Governor.

**AB 1924 (Ashcraft).** Provides that injured employee's social security number be included in the report of injury which law requires that employers, insurers and physicians and surgeons attending injured employees send to the Division of Labor Statistics and Research. Chapter 1623.

**AB 1925 (Ashcraft).** Requires that IAC give notice when, upon its own motion, it commutes the amount of compensation payable to a lump sum, rather than be permitted to commute with or without notice when it commutes on its own motion. Also substitutes for present ground for commutation that commutation will avoid undue expense or hardship, ground that it will avoid inequity and not cause undue expense or hardship. Chapter 2123.

**SB 47 (Cobey).** Makes a number of changes

clarifying workmen's compensation coverage for persons engaged in fire suppression and active law enforcement service. Chapter 1684.

**SB 783 (Burns).** Establishes a workmen's compensation study commission consisting of seven members appointed by the Governor with the approval of the Senate. Provides that two members of the Senate and two members of the Assembly shall meet with and participate in the activities of the commission.

Directs the commission to make a study of and findings, conclusions and suggestions regarding, the workmen's compensation system of the state. Provides that study may include, but need not be limited to: study of Constitutional and statutory provisions and administrative regulations, procedures, and practices; critical analysis of permanent disability rating system and its actual effect upon injured workmen; study leading to establishment of guide lines to secure greater certainty in disposition of cases involving psychological disorders, as well as cases involving psychic disorders; and consideration of rehabilitation system to obtain maximum medical relief from consequences of industrial injury and to encourage return to gainful employment.

Specifies powers of commission and authorizes it to act until ninety days following the 1965 regular session or such earlier time as its final report shall have been submitted. Appropriates \$100,000 from general fund for expenses of commission. Chapter 2040.

**SB 877 (Short).** Among other things makes a fireman of any fire district, rather than a fireman of a county fire district, eligible for leave of absence without loss of salary. Chapter 920.

**SB 1103 (Cameron).** Revised the priority of claims against insolvent insurance companies. Passed legislature and pocket-vetoed by Governor.

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## SOCIAL WELFARE

Again, in the 1963 session, as in 1961, one of the most significant areas of advancement was in the field of social welfare legislation. The major bill was **AB 59 (Burton)**, described by the Governor as "the most important piece of welfare legislation to pass during my term as Governor."

The scope of the Burton bill and advancements made in other bills summarized below are indicative of the general quality of social welfare programs in the state. At the same time, however, they offer telling evidence of society's many failures to cope with human problems through social insurance and other socio-economic legislation, thus leaving a

mounting residue of problems for mitigation through social welfare and public assistance approaches as the last recourse of society.

For example, the medical assistance for the aged (MAA) program has been improved and made one of the most liberal in the nation, but it does not begin to reach in any meaningful manner beyond the state's aged assistance recipients. In fact, it barely touches the group of so-called "medical indigents" beyond the public assistance category who are supposed to be covered by this Kerr-Mills alternative to aged health care under social security.

Perhaps the most far reaching provision in **AB 59**, effective February 1, 1964, is the extension of aid to needy children (ANC) benefits to families where the parents are unemployed. This important extension, taking advantage of federal funds made available by Congress in 1961, deletes the requirement that the father be absent from the home in order for the family to receive aid. Major shortcomings are inherent in the extension, however, as the final version of the legislation enacted greatly undercuts protective provisions against exploitation and abuse that were contained in the original version of the ANC extension bill passed by the Assembly. Under the expanded ANC program, eligibility is conditioned upon "seek work" requirements and "availability for work" provisions that require acceptance of employment "without regard to prior work experience." Further, eligibility requires acceptance of assignment to "community work and training projects" that counties are required to develop by the provisions of **AB 59** under standards to be established by the state Social Welfare Department. Apart from the serious "downgrading" conditions for eligibility, the work relief feature of **AB 59** carries a potential for the development of a whole new tier of training programs at the county level under circumstances that could lead to the rankest form of exploitation of welfare recipients. Only adequate state standards and effective participation of labor in the implementation of these programs can prohibit this from happening. In effect, as pointed out under the section on **AGRICULTURAL LABOR**, farm workers perhaps stand to gain most by the extension of ANC to the unemployed because of the very fact that this sector of our labor force stands at the lowest rung of our economic ladder.

Reflecting other areas of action during the session, the archaic "relatives' responsibility" clause

is now repealed from all of the categorical aid programs except in the old age security (OAS) program. Automatic adjustments are provided in the benefit levels of the aid to the disabled (ATD) program, and a revised definition of disability permits broader coverage. Residence requirements in several of the social welfare programs were progressively reduced, and liens for county hospital care were significantly curbed.

Finally, it should be noted that a major administrative change was made by the session by the assignment of the regulatory functions of the state Social Welfare Board to the Director of Social Welfare, and converting the Board to an advisory body within the Department.

### Good Bills

**AB 23 (Burton).** Extended ANC program to families with an unemployed father residing in the home; provided adequate safeguards on work relief and other conditions imposed on head of family; passed the Assembly by a vote of 60-16; died in Senate committee. (A less liberal version was ultimately incorporated into **AB 59**.)

**AB 59 (Burton).** As introduced and passed by the Assembly, declared the intent of the legislature, consistent with federal law, to allow maximum earnings by public assistance recipients of categorical aid to promote self-sufficiency. Amended in the Senate prior to passage to incorporate major revisions of public assistance programs as the "package" social welfare bill of the session.

Among other things, in regard to medical assistance to the aged (MAA), provides federal funds for the first 30 days of hospital care in a county hospital, contract hospital, or nursing home; repeals relatives' responsibility law; eliminates the 30-day waiting period for assistance to those in nursing homes by providing assistance from the first of the month following admission to a nursing home; and provides for a \$3,000 deductible on private hospital and nursing home costs, so that a person may now qualify for MAA in a private hospital or nursing home after 30 days, or an expense of \$3,000, whichever occurs first.

In respect to all categorical aid programs, prohibits counties from taking liens on the real property of recipients of aged, blind, disabled, and medical care who are treated in county hospitals. Eliminates, effective January 1, 1964, the durational residence requirement for blind persons, and grants in-patient care under the blind pro-

grams to those who meet all the requirements of the MAA program other than the age requirement.

In regard to aid to the disabled, reduces residence requirement from 5 out of last 9 years, to 3 out of last 9 years. Also, effective January 1965, liberalizes eligibility for disabled assistance by extending program benefits to persons whose handicaps preclude employment even though they may not be bedridden or in need of continuous care.

In regard to aid to needy children (ANC), extends coverage to the unemployed, effective February 1, 1964, consistent with federal legislation enacted in 1961. Deletes the requirement that father be absent from home in order for family to receive aid. Contains serious deficiencies in this respect regarding requirements for "seek work," "work availability," and assignment to county work relief programs, as conditions of eligibility. (See preface to section above.) Also revises procedures for granting applications for aid in emergency cases. Persons applying for public assistance are presumed to be eligible if they need immediate assistance at the time they make their application. Retains safeguard of investigating applications, while removing hardship of waiting long periods when assistance is needed immediately. Chapter 510.

**AB 60 (Burton).** Extends to all public assistance programs except ANC, the provisions exempting from consideration in computing income of recipient, a spouse's net earnings up to \$200 per month. Chapter 1800.

**AB 116 (Burton).** Provides for additional grant to recipient of aged or blind aid whose physical or mental condition is such as to require attendant services to permit him to remain in the home or is such as to require out-of-home care in a non-medical facility. Limits grants to amount sufficient to enable payment for such services. Also limits authorization of grant to those recipients who would otherwise be transferred to aid to disabled program solely to provide such services. Chapter 44.

**AB 151 (Frew).** Provides that residence requirements affecting eligibility of persons receiving county indigent aid shall not affect their eligibility to receive federal surplus food, and that county shall not impose residence requirements as condition to receipt of such food. Chapter 37.

**AB 614 (Cologne).** Requires Department of Social Welfare or other agency to investigate ap-

plicant for license to operate home or other place for children and to deny application if a criminal record indicates that applicant is not of good moral character. Chapter 1954.

**AB 791 (Kennick).** Increases penalty for inflicting unjustifiable pain on child and other offenses from six months imprisonment or \$500 fine or both, to one to ten years imprisonment. Chapter 783.

**AB 1397 (Stanton).** Authorizes Department of Social Welfare to conduct experimental projects to test alternative methods and procedures for administering assistance and services; authorizes payment of such funds to defray all costs undertaken by a county welfare department for such experimental projects. Chapter 1268.

**AB 2377 (Moreno).** Permitted granting of public assistance, in cases dealing with extreme hardship, to applicants currently residing in the state, who meet all qualifications for aid except residence. Passed Assembly by a vote of 43-23 but died in Senate committee.

**SB 955 (Short).** Provides that recipients of public assistance who move from one county to another within the state are excepted from the year residence requirement imposed and are eligible to receive hospital or medical care in the county to which they have moved. Still allows counties to demand payment from other counties for treatment by a county hospital to indigent residents of another county. Chapter 2044.

**SB 1151 (Cobey).** Extends medical care for aged program to cover medical assistance provided in institutions licensed by Department of Mental Hygiene, to the extent that federal sharing is available. Chapter 2057.

**SCR 19 (McAteer).** Requires a study of the effect on patient care of the new rate schedule applicable to recipients of MAA in nursing homes. Filed with Secretary of State. Chapter 118.

**SJR 25 (Geddes).** Urges federal government to make more surplus food available to senior citizens. Filed with Secretary of State. Chapter 155.

### **Bad Bills**

**AB 1209 (Badham).** Reduced exemption from relatives contribution scale to require persons with an income of \$201 or more, instead of present \$401 or more, to contribute to support of recipient of old-age assistance; placed administration in the hands of the county and eliminated relatives' right to appeal to state Social Welfare Board for modification. Died in Assembly committee.

**AB 1211 (Badham).** Authorized county to require applicant for old-age assistance to give lien on real property, and allowed enforcement of lien at death or earlier with permission of Department of Social Welfare. Died in Assembly committee.

**AB 1212 (Badham).** Reduced aid grant to needy family to a limit equalling the sum determined by multiplying minimum wage by number of working hours a month, and deleted provisions making aid payable dependent on needs. Died in Assembly committee.

**AB 1993 (Ashcraft).** Authorized counties and cities to establish work relief programs, subject to approval of Department of Social Welfare, and provided that parents of needy children may be required to work, without compensation, as a condition of aid. Died in Assembly committee. (See AB 59, above.)

**AB 2751 (Conrad).** Authorized county to require ap-

plicant for old-age assistance to give lien on real property as a condition of aid. Died in Assembly committee.

### Other Bills

**SB 1117 (Cobey).** Provides that the Social Welfare Board shall serve at the pleasure of Governor instead of present four year terms; permits Governor rather than the Board to select the chairman; transfers from Board to Director of Social Welfare the functions of adopting regulations, hearing appeals, and setting certain personnel standards; authorizes Director to take various measures against counties failing to comply; requires counties to establish welfare departments unless exempted by charter. Chapter 1916.

## STATE AND LOCAL GOVERNMENT

(Includes Planning and Urban Affairs)

In several areas the legislature took some limited, but significant steps forward in coming to grips with problems of growth that stem from the state's population explosion. Perhaps the most important step taken was the passage of legislation (**SB 370—Holmdahl**) that for the first time both declares the state's responsibility to promote full employment and requires the Governor to submit an annual economic report to the legislature along with his recommendations to achieve full employment. The measure, viewed in conjunction with 1959 legislation that requires the state Planning Office to evolve a "State Development Plan," provides a mandate for coordinating economic and physical planning with land use and resources development.

The Holmdahl bill also brings into focus the necessity of state programming, supplemental to federal action, to help combat unemployment. As such, it complements the federal employment act of 1946 which requires the President to submit an annual economic message to Congress with recommendations to achieve full employment. In this connection also, it should be noted that the legislature created a Commission on Manpower, Automation and Technology to help advance solutions to structural unemployment problems involving the matching of men and jobs within the broad mandate of the Holmdahl bill. (This latter measure, **AB 49 (Elliott)**, is reported under the section on SKILL DEVELOPMENT AND JOB TRAINING.)

Some small but positive steps were also taken to help local governments cope with limited aspects of metropolitan growth problems. Three urban affairs proposals advanced by the Governor

were passed which may prove helpful in stimulating regional planning and holding the line on "urban sprawl." These are contained in **SB 856 (Rees)**, companion bills **SB 861 (Nisbet)** and **AB 1662 (Knox)**, and **AB 1663 (Knox)**, listed below under the category of **Other Bills**. Apart from the shortcomings inherent in this new legislation, its potential effectiveness is seriously limited by the lack of any effective tools to curb the rampant speculation in land that underlies many of our urban problems, and also by the failure of the legislature to enact an effective housing program as recommended by the Governor's Commission on Housing Problems (see section on HOUSING AND URBAN REDEVELOPMENT).

In addition to partially responding to the metropolitan challenge, the legislature approved several government reorganization bills advanced by the Governor as part of the program for streamlining state government that he launched in 1961. All of these are reported below with the exception of **SB 1023 (Rattigan)**, creating a new department of Rehabilitation, which is covered under the section on SKILL DEVELOPMENT AND JOB TRAINING.



**Good Bills**

**AB 989 (Bane).** Allows Director of Finance, with consent of legislature, to apply for and accept federal loans to be used for planning public works authorized by legislature. Provides that repayment is to be pursuant to legislative appropriation. Chapter 1862.

**SB 370 (Holmdahl).** Establishes state policy acknowledging the responsibility of the state to foster and promote full employment, increase productivity, income, and purchasing power. Declares that the state shall seek assistance from various private and governmental interests; coordinate and utilize policies, plans and resources; and do all within its power consistent with its needs, obligations and state policy to attain these goals. Requires Governor to transmit an annual economic report to the legislature, which he may supplement with economic reports, setting forth the following: (1) the rates and levels of employment, production, income and purchasing power obtaining in the state and needed to carry out the state's policy of full employment; (2) current and foreseeable trends in the levels of employment, production, income and purchasing power; (3) a review of the economic program of the state and a review of economic conditions affecting employment in the state or any considerable portion thereof during the proceeding year, and of their effect upon employment, production, income and purchasing power; and (4) a program for carrying out the full employment policy, together with such recommendations for legislation as the Governor may deem necessary or desirable. Chapter 588.

**Bad Bills**

**AB 2098 (Pattee).** Provided for automatic expiration of all regulations of any state agency on the last day of a general legislative session unless ratified by a concurrent resolution; prohibited agencies from adopting regulations to achieve same purpose, if legislature does not ratify original regulation. Referred to interim study by Assembly committee.

**AJR 6 (Conrad).** Petitioned Congress to propose a U. S. Constitutional amendment "to require that proposed Constitutional amendments be submitted to the legislatures of the several states automatically upon application of two-thirds of the legislatures of a proposal containing identical text of a proposed amendment." Died in Assembly committee.

**AJR 37 (Chapel).** Petitioned Congress to propose a U. S. Constitutional amendment to establish a Court of the Union composed of the Chief Justices of the highest courts of the 50 states. Proposed that "Court of the Un-

ion" be given power to overrule U.S. Supreme Court decisions. Died in Assembly committee.

**Other Bills**

**AB 323 (Monagan).** Authorizes creation of Stockton Metropolitan Transit District, including City of Stockton and incorporated territory, upon approval of voters. Contains provisions for collective bargaining. Chapter 839.

**AB 800 (Crown).** Contains state budget for fiscal year 1963-64 as adopted by the 1963 general session and pared down to \$3.15 billion from the \$3.25 billion recommended by the Governor after defeat of the Governor's tax program in the Senate. (See section on TAXES.) Among funds deleted were appropriations for additional aid to school districts and state employee salary increases; augmented funds for the Fair Employment Practices Commission to enforce the Rumford Fair Housing Bill; subventions to local clinics and hospitals for the hospitalization and rehabilitation of crippled children; additional funds for the liberalized Short-Doyle mental health program; funds to launch a pilot compensatory education program for the culturally deprived, passed by the legislature; an appropriation for additional books for local libraries; and funds to honor the scholarship grants made to state scholarship students. (See supplemental budget adopted by 1964 special session—SB 4, below). Chapter 1050.

**AB 1662 (Knox) and SB 861 (Nisbet).** Create a 5-member local agency formation commission in each county to review and pass on all proposals for incorporations, annexation, and formation of special districts. Commission is composed of two county representatives appointed by Board of Supervisors, two city representatives appointed by city selection committees, and one person representing the general public appointed by other four commission members. Provides alternate selection procedure where there is no city in the county, or there is only one city in the county. Chapters 1808 and 1810.

**AB 1663 (Knox).** Creates Coordinating Council on Urban Policy, composed of eighteen members appointed by the Governor representing the state, counties, cities, school districts, and the public, to investigate problems resulting from development of urban areas, to develop long range policies to meet such problems and to advise the Governor. Provides for executive committee of council and

for appointment of executive secretary and staff. Contains automatic expiration date on 91st day after adjournment of 1965 general session. Chapter 1809.

**AB 1990 (Knox).** Places Citizens Advisory Committee on Aging within Health and Welfare Agency. Provides Committee's annual report to Governor is to be submitted through Administrator of Health and Welfare Agency. Chapter 1746.

**AB 2006 (Marks).** Creates a Department of General Services to manage the housekeeping functions of state government by assuming the service and supply functions formerly performed by the state Department of Finance. Enables Department of Finance to concentrate on functions that relate to fiscal affairs and policy recommendations to the Governor. Chapter 1786.

**AB 2713 (Veneman).** Requires annual report of city, county or governmental agency in county or city, whose functions include preparing plans for or constructing major public works, to submit annually a list of proposed public works to an official agency designated by the Board of Supervisors or City Council instead of to City or County Planning Commission or Department. Requires this official agency to list and classify proposal and prepare annual coordinated program to be submitted to Planning Commission or Department for review and recommendations. Chapter 1405.

**AB 3044 (Bane).** Created a Constitutional Revision Commission to provide legislature and joint committee on legislative organization with facts and recommendations relative to revision of state Constitution. Passed by Assembly, but died in Senate.

**ACA 23 (Moreno), ACA 37 (Carrell), and ACA 56 (Meyers).** With varying details, proposed annual general sessions of the California Legislature. Referred to interim study by Assembly committee.

**SB 371 (McAteer).** Creates a 37-member San Francisco Bay Area Transportation Study Commission to develop a master plan for the Bay Area's freeways, bridges, transit system, and air and sea-port facilities. Chapter 911.

**SB 856 (Rees).** Authorizes the State Planning Advisory Commission to establish regional planning districts on a vote of two-thirds of the cities

and counties in the district for the purpose of developing long-range plans for transportation, residential and industrial development, schools, recreational facilities, and other needs. Chapter 1811.

**SB 1019 (Collier).** Enables the Highway and Transportation Agency to concentrate on mass rapid transit and other forms of transportation in addition to highways. Chapter 1364.

**SB 1024 (O'Sullivan).** Transfers from the Department of Finance to Department of Agriculture supervision of local fairs. Transfers from Department of Finance to Department of General Services responsibility for approval of contracts and acquisition and disposition of property of local fairs. Retains in Department of Finance approval of budgets of local fairs. Chapter 1714.

**SB 1032 (Arnold).** Transfers Board of Corrections from Department of Corrections to separate status in Youth and Adult Corrections Agency. Chapter 1366.

**SB 1114 (Rodda).** Authorizes the development of a new state fair on a 1,000 acre site on the American River at Sacramento. Chapter 1743.

### 1963 Special Session

**SB 4 (Teale).** Amends and supplements budget bill for fiscal year 1963-64 as approved in **AB 800**, above, at the general session. Provides supplemental appropriations in the amount of \$83.6 million, while leaving additional funds available for increased state school aid in separate legislation. (See EDUCATION.) Restores most of the funds that were deleted upon approval of the general session budget bill, including: bulk of funds requested for pay raises by Governor for state employees and state college academic personnel; \$75,000 for enforcement of the Rumford Fair Housing Bill; \$2.8 million for assistance to crippled children; \$2 million for increased assistance to local communities for mental health programs; \$2.6 million in capital outlay funds for state acquisition and development of state beaches and parks; \$346,000 for pilot program in compensatory education; and \$410,000 to honor state scholarship grants. Statutes of 1963 Special Session. Chapter 8.

## TAXES

Taxation and related budget balancing issues constituted one of the principal battlegrounds during the 1963 general session. Governor Brown, in January, presented the legislature with a state budget for fiscal year 1963-64 totalling some \$3.25 billion, which was out of balance by about \$150 million because of growth requirements in existing programs and some modest allowances for essential new programs recommended by the Governor. In keeping with his "no tax increase" campaign pledge, the Governor advanced a tax reform program designed to speed up the collection of revenues and to relate tax collections more closely to the incidence of growth in order to both balance the 1963-64 budget and contribute substantial amounts toward the balancing of the 1964-65 budget as well as other future budgets.

As embodied in a series of bills introduced by Assemblyman Nicholas Petris (**AB 1944-1950**), the principal features of the Governor's complex tax program did the following: accelerated the collection of the insurance gross premiums tax by requiring quarterly payments; eliminated installment payments in the state income tax; provided for income tax withholding on wages and salaries, with a provision for a 25 percent forgiveness of 1964 obligations (later increased to 50 percent); required the filing of quarterly returns on income not subject to withholding; ended installment payments of the bank and corporation tax while accelerating collections to a quarterly basis; reduced the state gift tax exemption from \$4,000 to \$3,000; and combined all of these with another reform removing the income tax obligation of some 850,000 low- and moderate-income individuals and families with income tax liabilities of less than \$5 a year as individuals, and \$10 a year as married couples.

Following prolonged study of the Governor's tax program, with special attention to the controversial income tax withholding proposal, the Executive Council of the Federation in April endorsed the program as a whole, and the proposed income tax withholding system specifically, as economically sound, fiscally necessary, and clearly in the best interests of working people and the public at large. Apart from the windfall aspects of the Governor's program, the permanent enhancement of the state's revenue picture was considered most significant. It was noted that this permanent increase in revenue would come from a progressive source (ability to pay) in our tax structure—not by increasing taxes, but by updating collection methods and relating the collections more closely to the incidence of growth, primarily through income tax withholding, and the filing of

estimated tax returns by banks and corporations and by persons receiving significant amounts of income from non-withholding sources. The permanent enhancement of revenues by relating collections more closely to growth was estimated at over \$50 million a year, thus confirming the Governor's statement that the program contained "long-range benefits that will place this state in a much stronger fiscal position, in addition to closing some loopholes now costing the state millions a year and helping to distribute the tax responsibility more fairly among all of our citizens."

In reference specifically to the income tax withholding plan, the Executive Council was guided by these facts:

- (1) The withholding system was to be patterned after the federal system in its technical aspects, but only about one-half of regularly employed wage and salary workers would be subject to withholding because of the level of exemptions under our state's progressive income tax.

- (2) Approximately 44 percent of the state income tax yield comes from sources other than wages and salaries. Such income would be subject to the "quarterly estimate method of current payment."

- (3) Any over-withholding, whenever this may occur, would be readily refunded upon filing of the annual return. No one would be over-taxed, and many of those who currently escape their liability by not filing a return would be required to pay their fair share of the progressive income tax.

- (4) Withholding would be adapted to the type of pay period, with deductions starting with annual earnings of \$2,340 for single persons, \$4,680 for married couples, plus an exemption for each dependent. For example, the wage withholding would be 50 cents a week for a worker who has a family of four and earns \$7,500 a year.

- (5) The withholding system would strengthen the income tax in California as a progressive source of revenue.

In general, although the private carriers resisted the proposal to remit the insurance gross premiums tax on a current basis until a compromise collection method was reached with the Governor's office, the hard core of opposition to the revenue program as a whole came from the employer community, and the giant corporate interests specifically. Their big guns were focused on the bank and corporation tax, but they also vigorously fought the income tax withholding proposal because of their basic opposition to the idea of strengthening a progressive tax source in a manner that might make the regressive sales tax less attractive in the future. In all major aspects, however, with some modification, the Governor's tax program was approved by the Assembly and then cleared to the Senate floor for consideration during the final two days of the general session.

The bill to accelerate the payment of bank and corporation taxes and eliminate installment payments was taken up first on the upper house floor since it required two-thirds approval by the Senate (27 votes). This measure alone (AB 1946) involved some \$83 million, representing more than half of the increased revenues to be derived from the Governor's overall program during fiscal year 1963-64. On two separate occasions the measure fell short of passage, the final defeat being recorded on the last day of the session by a 22-15 vote with both the majority and minority party leaders heading up the opposition.

Following the defeat of AB 1946, Administration supporters were forced to abandon the remaining tax bills, which were stricken from the file. Under the circumstances, without the prospect of additional funds, a stop-gap budget was adopted (See AB 800, reported under section on STATE AND LOCAL GOVERNMENT), with both houses fully anticipating that the Governor would be forced to call a special session of the legislature to repair the damages.

### SPECIAL SESSION CALL

Primed for battle against the corporate interests that killed his tax program, the Governor called the legislature into special session on July 8. A revised but substantially similar tax program was re-submitted together with a request for budget augmentations totalling some \$114 million. In major respects, the hotly contested bank and corporation tax measure was recast to avoid the two-thirds vote requirement without significantly mod-

ifying its revenue potential. Also, the income tax withholding proposal was revised to postpone until January 1, 1965, putting personal income taxes on a pay-as-you-go basis with a 50 percent forgiveness of 1964 taxes due on April 15, 1965.

Action on the Governor's program was initiated on the Senate side, which led to passage of four revenue measures in the special session, including the bank and corporation tax acceleration bill, estimated to yield an additional \$150 million in fiscal year 1963-64, plus reduced amounts in subsequent fiscal years. The Governor was forced to accept defeat of his income tax withholding plan, but immediately indicated that he would continue to fight for its passage at the 1964 budget session. Also lost was the Governor's proposal to cancel the income tax liability for some 850,000 low income families and individuals who pay taxes of less than \$10 and \$5 respectively a year.

Enactment of the special session tax bills was met with a threat from minority leaders in the Assembly to block the budget augmentation bill which was finally approved after a couple of weeks of bitter partisan fighting in the lower house. In substance, the estimated tax yield of the new revenue measures was sufficient to meet virtually all the requests of the Governor for budget augmentations. (See Section on STATE AND LOCAL GOVERNMENT, SB 4 under 1963 special session.)

### Good Bills

**\*AB 661 (Petrís).** As introduced, prohibited imposition of personal income tax by local taxing bodies in order to prevent duplication at that level of income taxes already assessed at both the federal and state level. As passed by the Assembly on a 42-34 roll call, carried an amendment declaring the bill is not to be construed to prohibit the levy or collection of any otherwise authorized license tax upon a business measured by or according to gross receipts. As further amended in Senate and passed by 25-3 roll call, provides for automatic expiration of bill after 1965 general session in order to accommodate interim committee studies of the relationships between state and local taxes. Chapter 812.

**AB 1275 (Davis).** Exempted from sales and use tax those items of personal property necessary for personal health and sanitation. Referred to interim study by Assembly committee.

**AB 1944 (Petrís).** As introduced, eliminated provisions for installment payment of income taxes, and installed,

effective July 1, 1964, a withholding system on wages together with quarterly payments through estimated tax declarations by those who have substantial income from interest and dividends and other sources not subject to withholding. Combined these changes with forgiveness of one quarter of 1964 income tax liabilities. As passed by Assembly on 41-38 roll call, carried an amendment increasing the "forgiveness" feature to 50 percent of 1964 incomes. Died on Senate floor where it was stricken from file after defeat of **AB 1946**.

**AB 1945 (Petrus)**. Cancelled income tax liability of single persons now paying less than \$5 and married couples paying less than \$10 a year in state income taxes. Added some 850,000 to the low and moderate-income taxpayers who are currently exempted from state income tax law because of existing exemptions. Passed Assembly unanimously. Died on Senate floor where it was stricken from file following defeat of **AB 1946**.

**AB 1946 (Petrus)**. As introduced, eliminated installment payments of bank and corporation tax after March 15, 1964, and required filing of estimated tax returns by larger banks and corporations beginning June, 1965. As such, because of acceleration feature, required two-thirds vote. Passed by Assembly on 46-22 vote after deletion of the provision for accelerated payments beginning in June, 1965, in order to get around two-thirds requirement. Amended in Senate to reinsert acceleration feature, thus again requiring a two-thirds vote. Refused passage in upper house on June 20 by 21-17 vote (27 necessary). Reconsidered, and refused passage again on June 21 by 22-15 vote.

**AB 1947 (Petrus)**. Required insurance carriers, after January 1, 1964, to pay gross premiums taxes on a quarterly basis. As such, passed Assembly by a vote of 43-26. Amended in Senate to accommodate private carriers' objections by spacing the accelerated payments through June, 1967, and granting an interim reduction in the premiums tax between 1964 and 1967. Died on Senate floor where it was stricken from the file following defeat of **AB 1946**.

**AB 1948 (Petrus)**. Provided for payment of surplus line insurance brokers tax into general fund after January, 1965. Passed Assembly by 34-26 vote. Died on Senate floor where it was stricken from the file following defeat of **AB 1946**.

**AB 1949 (Petrus)**. Eliminated the so-called "principal office" deduction of property taxes from the gross premiums tax paid by insurance carriers. Referred to interim study by Assembly committee.

**AB 1950 (Petrus)**. Reduced the gift tax exemption from \$4,000 to \$3,000. Passed Assembly by a vote of 43-29. Died on Senate floor where it was stricken from the file following defeat of **AB 1946**.

**AB 2481 (Crown)**. Provided for study of state and local tax structures by state Department of Finance acting jointly with a legislative committee created for this purpose. Included provision for labor representation. Contained \$150,000 appropriation. Passed by Assembly unanimously. Died in Senate committee.

**ACA 20 (Mills)**. Made it permissible for cities and counties to assess property taxes on the basis of land values alone, exempting improvements. Referred to interim study by Assembly committee.

### Bad Bills

**AB 56 (Carrell)**. Allowed counties to impose a local vehicle license fee for the privilege of operating a vehicle on public highways within the county. Died in Assembly committee.

**AB 316 (Veneman)**. Exempted from taxation raw materials and newsprint imported into state for further manufacturing or processing. Passed Assembly by 64-10 vote. Died in Senate committee.

**AB 652 (Cologne)**. Dupont stockholders tax relief bill. Provided that stock distributed to shareholders under a U. S. Supreme Court order of divestiture shall be taxed in California as a capital gain, rather than at higher ordinary income tax rates. Action on measure was successfully delayed in Assembly by a series of unsuccessful referral efforts and a successful motion on April 9 to block further consideration for 30 days. This precluded the bill from going into operation before the April 15, 1963, deadline for filing returns on 1962 income. Measure was taken up again on June 11 and passed by the Assembly on a 41-26 roll call. Senate then approved bill without opposition. Pocket vetoed by Governor.

**AB 1451 (Dymally)**. Authorized county-wide sales and use taxes for school district purposes. Referred to interim study by Assembly committee.

**AB 2235 (Carrell)**. Permitted deduction of amounts paid as federal income taxes from state personal income tax, thus benefitting primarily upper-income taxpayers. Referred to interim study by Assembly committee.

**AB 2440 (Garrigus)**. Imposed a one percent sales tax on food items, and allocated revenues to state school fund. Died in Assembly committee.

**AB 2561 (Garrigus)**. Increased cigarette tax from 3c to 5c per pack. Died in Assembly committee.

**AB 2796 (Greene)**. Imposed sales tax on labor costs in connection with the installation of an item that is sold and is itself subject to sales tax. Referred to interim study by Assembly committee.

**AJR 16 (Badham)**. Millionaires' tax amendment. Urged Congress to initiate action on a U. S. constitutional amendment to abolish income, estate, and gift taxes. Died in Assembly committee.

**SB 1035 (Grunsky)**. Exempted from taxation certain "real estate investment trusts." Died in Senate committee.

### Other Bills

**AB 825 (Rumford)**. Revises "medicine" exemption from sales and use taxation. Includes medicines sold to state or political subdivisions for treatment of human beings in the exemption. Chapter 716.

**AB 1543 (Henson).** Extends sales tax to cover drive-in sales of food and other "take-out" or "to do" orders. Chapter 1968.

**AB 2165 (Conrad).** Redefined cash value of motion pictures, including negatives and prints thereof, for purposes of property taxation. Sent to interim study by Assembly committee. (See also **SB 1072**, below.)

**AB 2519 (Petris).** Deletes provision exempting from sales tax those meals and food products for human consumption served by employers or employee organizations to employees engaged in work upon particular projects or undertakings. Chapter 1824.

**AB 2548 (Marks), AB 3018 (Meyers), and AB 3070 (Burton).** Provided for levying of state personal income tax on the basis of an unspecified percentage of federal income taxes paid. Referred to interim study by Assembly committee.

**SB 265, 266, and 267 (Cobey).** Conform state bank and corporate franchise and income tax laws to a number of recent changes in federal laws. Chapters 1063, 1028, and 1428.

**SB 269, 270, and 271 (Cobey).** Conform state personal income tax law to a number of recent changes in federal income tax law. Chapters 1146, 1349, and 2025.

**SB 344 (Collier).** Increases the gasoline tax by 1c per gallon with proportional increases in other highway user taxes. Empowers county board of supervisors to adopt an annual local vehicle license fee in an amount equal to one-half of one percent of market value of vehicle as determined by the Department of Motor Vehicles, and requires total revenues derived therefrom to be used exclusively for rapid transit purposes. Chapter 1852.

**SB 608 (Nisbet).** Exempts rail freight cars for use in inter-state or foreign commerce from sales tax. Chapter 749.

**SB 1072 (Rees).** Changed the method of assessing and taxing film negatives to avoid disruptions in work during assessment periods when films are removed from the state to escape property taxation. Passed by the legislature after several amendments. Vetoed by Governor.

### Special Session Bills

#### Good Bills

**AB 14 (Petris).** Cancelled state income tax liability of single persons now paying less than \$5 and married couples paying less than \$10. Died in Assembly committee.

**SB 5 (O'Sullivan).** Eliminates option of paying

bank and corporations tax on installments for corporations having fiscal years ending on or after January 1, 1964. Accelerates the payment of bank and corporations tax by requiring filing of declarations of estimated taxes. Estimated to produce increased revenues of \$82.7 million in 1963-64; \$55.5 million in 1964-65; \$30 million in 1965-66; and \$44 million in 1966-67. Statutes of 1963 Special Session. Chapter 2.

**SB 6 (O'Sullivan).** Removes privilege of paying state income taxes on installment basis after January 1, 1964. Estimated to increase revenues by \$44.6 million in 1963-64; \$4.7 million in 1964-65; \$4.9 million in 1965-66; and \$5 million in 1966-67. Statutes of 1963 Special Session. Chapter 9.

**SB 8 (O'Sullivan).** Requires, after January 1, 1964, prepayment of insurance gross premiums tax on a quarterly basis, and makes a special provision for transition from present system of payment during years 1964, 1965, and 1966. Reduces rate of tax during the interim adjustment years from 2.35 percent to 2.33 percent. Estimated that the bill will increase revenues by \$22 million in 1963-64; and \$700,000 each year thereafter through 1966-67. Statutes of 1963 Special Session. Chapter 3.

**SB 10 (O'Sullivan).** Places revenue from surplus line brokers in the general fund rather than the insurance fund after January 1, 1965. Estimated bill will not increase revenues in 1963-64, but will produce an estimated half million dollars a year thereafter through 1966-67. Statutes of 1963 Special Session. Chapter 4.

**SB 11 (O'Sullivan).** Established, effective January 1, 1965, an income tax withholding system on wages together with provisions for quarterly payments through estimated tax declarations by those who have substantial income from interests and dividends and other sources of income not subject to withholding. Provided for 50 percent forgiveness of 1964 tax liabilities. Died in Senate committee.

**SB 17 (Rattigan).** Imposed a severance tax on oil. Died in Senate committee.

#### Bad Bills

**AB 3 (Collier).** Authorized imposition of county-wide sales tax for school support. Died in Assembly committee.

**AB 6 (Garrigus).** Increased excise tax on cigarettes from 3c to 5c per pack. Died in Assembly committee.

**SB 7 (Burns).** Authorized imposition of county-wide sales tax of one percent for school purposes. Died in Senate committee.

## MISCELLANEOUS

### Good Bills

**AB 1 (Unruh).** Creates a California Arts Commission empowered to make comprehensive surveys of public and private institutions engaged in artistic and cultural activities and to determine the cultural and artistic needs and aspirations of California and ascertain how these needs can be served, and to assist communities in creating their own programs. Chapter 1742.

**AB 735 (Petrus).** Increases from \$600 to \$900 the amount of wages owing an employee of a decedent that are given precedence over general claims and are paid without court appeal from the decedent's estate. Chapter 683.

**AB 1887 (Meyers).** Increases from \$12,500 to \$15,000 the amount of homestead that may be claimed by the head of a family and increases from \$5,000 to \$7,500 the homestead that may be claimed by any other person. Chapter 1288.

**SB 664 (Bradley).** Requires, rather than authorizes, the governing body of a city or county to require a completion security from a subdivider to secure subdivider's construction of improvements; requires a security of not less than 50 percent of the total estimated cost, conditioned upon faithful performance of subdivider's agreement with governing body, and an additional amount of not less than 50 percent of estimated cost securing payment to contractors, subcontractors and persons furnishing labor and materials. Chapter 340.

**Senate Resolution 90 (Farr).** Provides for an interim study of California laws dealing with liens of mechanics and material men. Adopted.

### Bad Bills

**AB 1222 (Lunardi).** Permits purchase of equipment without regard to the "Buy America Act" for Middle Fork American River Project of the Placer County Water Agency. Authorizes Agency to negotiate construction contract where no bid proposals are received, or if only one responsible proposal is received. Provides that in case of one proposal a contract must be negotiated with the bidder. Chapter 236.

**AB 1656 (Thelin).** Allows hospitals to sell, at public auction, personal property which has been unclaimed for a period of 180 days following de-

parture of owner from hospital; provides procedure for serving notices and for the disposition of proceeds; exonerates hospital from liability for property sold. Chapter 810.

**AB 2424 (Petrus).** Repealed preference for United States-made materials in contracts let by political subdivisions. Referred to interim committee study by the Assembly.

**AB 2626 (Petrus).** Exempted from American-materials preference those purchases made by a public agency with a view to be used in the production or transmission of goods for a commercial use. Killed on Assembly floor. Record expunged, and bill re-referred to committee. (Companion bill, SB 1380 (Rees), died in Senate committee.)

**AB 2921 (Deukmejian).** Allowed apartment house keepers to have a lien upon the baggage and other property of guests and others for proper charges due. Assigned to interim committee study by the Assembly.

**AB 3036 (Dills).** Made the "Buy American Act" inapplicable to imports of minerals of American origin if the exporting country is a member of the General Agreement on Tariffs and Trade and has imported a total tonnage of American minerals equaling or exceeding the tonnage exported. Died in Senate committee.

**SB 562 (Cameron).** Exempted from the Buy-American provisions the purchase of specified types of turbines, pumps, motors, generators, valves, and air blast circuit breakers. Died in Senate committee.

### Other Bills

**AB 82 (Carrell).** As amended and passed by Assembly, prohibited the sale of automobiles on Sunday in the largest 23 counties. Assigned to interim committee study by the Senate.

**AB 1758 (Dannemeyer).** Permits any public board, commission, or official of the state or any political subdivision to file notice of acceptance of completion, rather than notice of completion, of certain contracts, structures, or works of improvement, within 10 days after acceptance, in prescribed manner, of completion, instead of after completion; declares intent to clarify meaning of the law. Chapter 1176.

**AB 1776 (Beilenson).** Broadens the application of provision that where work or improvement on a lot or tract is subject to acceptance by any public or governmental authority, completion of such work shall be deemed, for mechanic's lien purposes, to be date of its acceptance, to cover any work or improvement subject to such acceptance. Chapter 1081.

**AB 2308 (Gonsalves).** Provided that mechanics and



materials suppliers shall have lien on trailers and vehicles, for work and services performed on such trailers and vehicles at the request of any person other than the holder of legal title; allowed ten days for owner to object. Pocket-vetoed by Governor.

**AB 2953 (Meyers).** Required preference for California bidders on manufactured supplies and materials

where a municipal utility district awards contract, if such bids do not exceed out-of-state bids by more than five percent. Referred to interim committee study by the Assembly.

**SB 45 (Rattigan).** Made a misdemeanor the sale on Sundays, of non-essential articles, as defined in specified areas of the state. Died in Senate committee.

# STATE OFFICERS AND MEMBERS OF THE 1963 LEGISLATURE

Governor—Edmund G. Brown, State Capitol, Sacramento

Lieutenant Governor—Glenn M. Anderson, State Building, Los Angeles

President Pro Tempore of the Senate—Hugh M. Burns, Fresno

Speaker of the Assembly—Jesse M. Unruh, Los Angeles

## SENATORS

Party	Dist.	City	Party	Dist.	City
Arnold, Stanley.....	D	1 ..... Susanville	Murphy, John A., Jr.....	R	35 ..... Santa Ana
Backstrand, L. M. (Lee)....	R	37 ..... Riverside	Nisbet, Eugene G.....	D	36 ..... Upland
Begovich, John C.....	D	9 ..... Jackson	O'Sullivan, Virgil.....	D	8 ..... Williams
Bradley, Clark L.....	R	18 ..... San Jose	Petersen, Frank S.....	D	4 ..... Ukiah
Burns, Hugh M.....	D	30 ..... Fresno	Pittman, Stan.....	R	6 ..... Oroville
Cameron, Ronald G. (Ron)	D	7 ..... Auburn	Quick, Aaron W.....	D	39 ..... El Centro
Christensen, Carl L.....	D	3 ..... Eureka	Rattigan, Joseph A.....	D	12 ..... Santa Rosa
Cobey, James A.....	D	24 ..... Merced	Rees, Thomas M.....	D	38 ..... Los Angeles
Collier, Randolph.....	D	2 ..... Yreka	Regan, Edwin J.....	D	5 ..... Weaverville
Dolwig, Richard J.....	R	21 ..... Redwood City	Rodda, Albert S.....	D	19 ..... Sacramento
Donnelly, Hugh P.....	D	22 ..... Turlock	Schrade, Jack.....	R	40 ..... San Diego
Farr, Fred S.....	D	25 ..... Carmel	Sedgwick, Harold T.....	R	10 ..... Marysville
Geddes, Samuel R.....	D	11 ..... Napa	Short, Alan.....	D	20 ..... Stockton
Gibson, Luther E.....	D	15 ..... Vallejo	Stiern, Walter W.....	D	34 ..... Bakersfield
Grunsky, Donald L.....	R	23 ..... Watsonville	Sturgeon, Vernon L.....	R	29 ..... Paso Robles
Holmdahl, John W.....	D	16 ..... Oakland	Symons, Wm. "Bill," Jr....	R	28 ..... Laws
Lagomarsino, Robert J.....	R	33 ..... Ventura	Teale, Stephen P.....	D	26 ..... West Point
McAteer, "J" Eugene.....	D	14 ..... San Francisco	Way, Howard.....	R	32 ..... Exeter
McCarthy, John F. (Jack)...	R	13 ..... San Rafael	Weingand, Alvin C.....	D	31 ..... Santa Barbara
Miller, George, Jr.....	D	17 ..... Martinez	Williams, Robert D.....	D	27 ..... Hanford

## ASSEMBLYMEN

Party	Dist.	City	Party	Dist.	City
Allen, Don A., Sr.....	D	63 ..... Los Angeles	Holmes, James.....	R	36 ..... Santa Barbara
Alquist, Alfred E.....	D	24 ..... San Jose	Johnson, Harvey.....	D	58 ..... El Monte
Ashcraft, Hale.....	R	80 ..... La Jolla	Kennick, Joseph M.....	D	44 ..... Long Beach
Badham, Robert E.....	R	71 ..... Costa Mesa	Knox, John T.....	D	11 ..... Richmond
Bagley, William T.....	R	7 ..... San Rafael	Lanternman, Frank.....	R	47 ..... La Canada
Bane, Tom.....	D	42 ..... N. Hollywood	Lunardi, Paul J.....	D	6 ..... Roseville
Barnes, E. Richard.....	R	78 ..... San Diego	Marks, Milton.....	R	21 ..... San Francisco
Bee, Carlos.....	D	13 ..... Hayward	McMillan, Lester A.....	D	61 ..... Los Angeles
Beilenson, Anthony C.....	D	59 ..... Beverly Hills	Meyers, Charles W.....	D	19 ..... San Francisco
Belotti, Frank P.....	R	1 ..... Eureka	Miliias, George W.....	R	22 ..... Gilroy
Booth, Harold E.....	D	4 ..... Orland	Mills, James R.....	D	79 ..... San Diego
Britschgi, Carl A.....	R	26 ..... Redwood City	Monagan, Robert T.....	R	12 ..... Stockton
Burgener, Clair W.....	R	76 ..... San Diego	Moreno, John.....	D	51 ..... Montebello
Burton, Philip.....	D	20 ..... San Francisco	Mulford, Don.....	R	16 ..... Oakland
Carrell, Tom C.....	D	41 ..... San Fernando	Pattee, Alan G.....	R	34 ..... Salinas
Casey, Jack T.....	D	28 ..... Bakersfield	Petris, Nicholas C.....	D	15 ..... Oakland
Chapel, Charles Edward.....	R	46 ..... Redondo Beach	Porter, Carley V.....	D	38 ..... Compton
Collier, John L. E.....	R	54 ..... South Pasadena	Powers, Walter W.....	D	8 ..... North Sacramento
Cologne, Gordon.....	R	74 ..... Indio	Quimby, John P.....	D	72 ..... Rialto
Conrad, Charles J.....	R	57 ..... Sherman Oaks	Rumford, W. Byron.....	D	17 ..... Berkeley
Crown, Robert W.....	D	14 ..... Oakland	Ryan, Leo J.....	D	27 ..... S. San Francisco
Cusanovich, Lou A.....	R	64 ..... Northridge	Song, Alfred H.....	D	45 ..... Monterey Park
Danielson, George E.....	D	48 ..... Los Angeles	Soto, Philip L.....	D	50 ..... La Puente
Dannemeyer, William E.....	D	69 ..... Fullerton	Stanton, William F.....	D	25 ..... San Jose
Davis, Pauline L.....	D	2 ..... Portola	Stevens, Robert S.....	R	60 ..... Los Angeles
Deukmejian, C. George.....	R	39 ..... Long Beach	Thelin, Howard J.....	R	43 ..... Glendale
Dills, Clayton A.....	D	67 ..... Gardena	Thomas, Vincent.....	D	68 ..... San Pedro
Donovan, Richard J.....	R	77 ..... National City	Unruh, Jesse M.....	D	65 ..... Los Angeles
Dymally, Mervyn M.....	D	53 ..... Los Angeles	Veneman, John G.....	R	30 ..... Modesto
Elliott, Edward E.....	D	40 ..... Los Angeles	Veysey, Victor V.....	R	75 ..... Brawley
Ferrell, F. Douglas.....	D	55 ..... Los Angeles	Waite, Tom.....	D	62 ..... Tujunga
Flournoy, Houston I.....	R	49 ..... Claremont	Waldie, Jerome R.....	D	10 ..... Antioch
Foran, John F.....	D	23 ..... San Francisco	Warren, Charles.....	D	56 ..... Los Angeles
Frew, Myron H.....	D	35 ..... Dinuba	Whetmore, James E.....	R	70 ..... Garden Grove
Gaffney, Edward M.....	D	18 ..... San Francisco	Williamson, John C.....	D	29 ..... Bakersfield
Garrigus, Charles B.....	D	33 ..... Reedley	Willson, George A.....	D	52 ..... Huntington Park
Gonsalves, Joe A.....	D	66 ..... Dairy Valley	Winton, Gordon H., Jr....	D	31 ..... Merced
Greene, Leroy F.....	D	3 ..... Sacramento	Young, Pearce.....	D	5 ..... Napa
Henson, Burt M.....	D	37 ..... Ventura	Z'berg, Edwin.....	D	9 ..... Sacramento
Hinckley, Stewart.....	R	73 ..... Redlands	Zenovich, George N.....	D	32 ..... Fresno

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## Executive Council

### California Labor Federation, AFL-CIO

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995 Market Street, Room 810  
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(City of Long Beach and Orange County)

**M. R. CALLAHAN**  
324 East 4th Street, Long Beach 12

District No. 3  
(Los Angeles City proper, Hollywood, North Hollywood, Burbank, San Fernando, Glendale, Pasadena, Pomona, Whittier, and San Bernardino and Riverside Counties)

**WILLIAM SIDELL**  
2200 West 7th St., Suite 110, Los Angeles 57

**PAT SOMERSET**  
7750 Sunset Blvd., Hollywood 28

**WEBB GREEN**  
2316 West 7th Street, Los Angeles 57

**W. J. BASSETT**  
2130 W. 9th Street, Los Angeles 6

**J. J. CHRISTIAN**  
1626 Beverly Blvd., Los Angeles 26

**JAMES L. SMITH**  
1074 La Cadena Drive, Riverside

District No. 4  
(San Pedro, Wilmington, Redondo, Inglewood, Venice, and Santa Monica)

**ROBERT J. O'HARE**  
1243 - 14th Street, Santa Monica

District No. 5  
(Ventura, Santa Barbara and San Luis Obispo Counties)

**WILBUR FILLIPPINI**  
417 Chapala Street, Santa Barbara

District No. 6  
(Kern, Tulare, Kings, Fresno, Madera, Inyo and Mono Counties)

**H. D. LACKEY**  
911 - 20th Street, Bakersfield

District No. 7  
(San Joaquin, Stanislaus, Merced, Mariposa, Tuolumne, Calaveras and Alpine Counties)

**C. AL GREEN**  
P.O. Box 1399, Modesto

District No. 8  
(San Mateo, Santa Clara, San Benito, Santa Cruz and Monterey Counties)

**THOMAS A. SMALL**  
114 South "B" Street, San Mateo

District No. 9  
San Francisco

**MORRIS WEISBERGER**  
450 Harrison Street, San Francisco 5

**ARTHUR F. DOUGHERTY**  
1623½ Market Street, San Francisco 3

**CHRIS AMADIO**  
2450 - 17th Street, San Francisco  
**NEWELL J. CARMAN**  
988 Market Street, Suite 812, San Francisco

District No. 10  
(Alameda County)

**ROBERT S. ASH**  
2315 Valdez Street, Oakland 12

**PAUL L. JONES**  
2315 Valdez Street, Oakland 12

District No. 11  
(Contra Costa County)

**HOWARD REED**  
729 Castro Street, Martinez

District No. 12  
(Marin, Sonoma, Napa and Solano Counties)

**STANLEY LATHEN**  
431 York Street, Vallejo

District No. 13  
(Sacramento, Yolo, Colusa, Glenn, Butte, Sutter, Yuba, Nevada, Placer, El Dorado and Amador Counties)

**HARRY FINKS**  
1210 "H" Street, Sacramento 17

District No. 14  
(Humboldt, Del Norte, Mendocino and Lake Counties)

**HARRY HANSEN**  
Labor Temple, 9th and "E" Streets, Eureka

District No. 15  
(Siskiyou, Modoc, Lassen, Plumas, Shasta, Tehama, Trinity and Sierra Counties)

**HUGH ALLEN**  
900 Locust Street, Redding

#### VICE PRESIDENTS AT LARGE

**CHARLES J. SMITH**  
117 West 9th Street, Los Angeles 15

**DeWITT STONE**  
4067 E. Gage, Bell

**EDWARD T. SHEDLOCK**  
1012 West Thelborn Street, West Covina

**HERBERT H. WILSON**  
6066 Northside Drive, Los Angeles 22

**JEROME POSNER**  
2501 South Hill Street, Los Angeles 7

**E. A. KING**  
15301 Prairie Ave., Apt. 9, Lawndale

**E. P. O'MALLEY**  
1742 Neptune Avenue, Wilmington

**FRED D. FLETCHER**  
821 Market Street, San Francisco 3

**G. J. CONWAY**  
2780 East Gage Ave., Huntington Park



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

## Tabulated Vote on 15 Senate Roll Calls

[illegible]

ASSEMBLYMEN		PARTY		GOOD		BAD		TOTALS		AYE		NO		ABSENT		NOT VOTING		TOTALS		AYE		NO		ABSENT		NOT VOTING		TOTALS		AYE		NO		ABSENT		NOT VOTING		TOTALS	
Totals		D	9	16	3					47-25	46-28	25-39	44-20	60-12	45-28	41-35	41-22	60-16	24-48	21-57	41-26	42-34	41-38	46-22	43-26	37-37	45-10	49-23	61-14	34-29	22-48	54-18	42-35	43-28	20-39	27-38	23-42		
Allen	D	9	16	3																																			
Alquist	D	25	1	2																																			
Ashcraft	R	1	27	0																																			
Badham	R	1	25	0																																			
Bagley	R	11	17	0																																			
Bane	D	19	3	6																																			
Barnes	R	0	27	1																																			
Bee	D	15	6	7																																			
Belanson	D	18	7	3																																			
Belotti	R	5	16	7																																			
Booth	D	18	8	2																																			
Britschgi	R	10	12	6																																			
Burgener	R	7	19	2																																			
Burton	D	27	1	0																																			
Carrell	D	19	9	0																																			
Casey	D	22	2	4																																			
Chapel	R	5	20	3																																			
Collier	R	1	26	1																																			
Cologne	R	5	21	2																																			
Conrad	R	1	26	1																																			
Crown	D	15	4	9																																			