

## Legislative Notes

"Hot Cargo." Senator J. Howard Williams (R-Porterville) has introduced a bill to revive the present unconstitutional "hot cargo and secondary boycott" act which is still in the Labor Code. The bill, AB 1256, would rewrite the unconstitutional act to make it "unlawful for any labor organization or its agents to engage in or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities, or to perform any services, where an object thereof is (a) Forcing or requiring any employer or other person to cease using, selling, handling, transporting, or otherwise dealing in the products of any employer or person, or to cease doing business with any other employer or person, (b) Forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees."

The bill, sponsored by the Associated Farmers, is obviously designed to offset a Federation-sponsored measure (AB 711 McMillan) which would repeal the unconstitutional hot cargo and secondary boycott law. The Federation measure has passed the Assembly, and is presently in the Senate Committee on Labor.

**Governor's Labor Representation Bill.** The Assembly this Tuesday gave final clearance to AB 419, the Governor's labor bill, which would establish representation procedures and provide for the settlement of jurisdictional disputes in intrastate commerce. By roll vote of 45 to 34, the lower house rejected a motion by Bruce F. Allen (R-Los Gatos) to reconsider the vote by which the Governor's measure was approved last Thursday.

Last Thursday's vote, as indicated in going to press last week, was 44 to 34. Governor Brown, at that time, successfully fought off a final effort in the lower house by the corporate farmers to exempt farm workers from the provisions of the bill. The Governor mustered sufficient strength on the Assembly floor to defeat the farm worker exclusion by a vote 45 to 33.

**Crossfiling Repeal.** AB 118 (Munnell-D), to abolish crossfiling by candidates in primary elections, has reached the Senate floor after winning approval from the Senate Committee on Elections over the combined opposition of

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C. J. HAGGERTY  
Executive  
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# Weekly News Letter

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## U.S. Supreme Court Upholds Labors Rights; Throws Out Garmon Decision

The Supreme Court of the United States struck a death blow at the infamous "Garmon decision" this week in a unanimous ruling which upholds the fundamental rights of organized labor, including the right to picket peacefully for organizational purposes.

The decision, recognized as a "landmark" for federal pre-emption of the field of labor-management relations in interstate commerce, was issued on an appeal of a state Supreme Court decision in the so-called Garmon case to the high court by the California Labor Federation, AFL-CIO.

Charles P. Scully, General Counsel of the Federation, successfully argued the history-making case before the U.S. Supreme Court.

The decision followed a long series of court rulings which carried the case to the U.S. high court on two different occasions.

The case began in 1952 when two building trades unions engaged in peaceful picketing of a San Diego lumber yard for organizational purposes. Although the picketed firm was engaged in a business affecting interstate commerce and therefore within the scope of the national labor-relations act, the NLRB refused to take jurisdiction under its narrow jurisdictional rules.

The employer turned to the California courts and in 1955 won an injunction against the picketing, along with damages in the amount of \$1,000.

The effect of the refusal of the NLRB to take jurisdiction was to deny the union the right of a representation election under the federal law, while at the same time allowing the state to act against unions in the very area of denial of peaceful, democratic procedures.

In 1957, on petition by the Federation, the U.S. Supreme Court struck down the state injunction on the ground that the state had no jurisdiction in the so-called "no-man's land" created by the refusal of the NLRB to take jurisdiction in cases affecting interstate commerce. The high court, however, sent the issue of damages back to the state Supreme Court for more study.

The state Supreme Court, in turn, reaffirmed its damage award, which

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## CITIZENS COMMITTEE FOR AGRICULTURAL LABOR FORMED

Organized labor this week joined with representatives of religious and minority groups and other public spirited individuals to sponsor the formation of a California Citizens Committee for Agricultural Labor.

Representative sponsors of the Citizens Committee met in the Hotel Senator, in Sacramento, Wednesday, April 22, to adopt a statement of principles and objectives of the new organization.

The launching of the long-needed committee preceded by several days State Senate hearings on Governor Brown's minimum wage bill (AB 1223-Hawkins), scheduled before the Senate Labor Committee for Monday, April 27. It is anticipated that a strong effort will be in the Senate to remove a 90-cent minimum wage which the Govern-

nor's proposal carries for farm workers.

The Citizen's Committee, however, was formed as a continuing organization to draw public attention to the plight of agricultural workers and to press for comprehensive action which will elevate farm workers to the level of first class citizenship both in legal rights and dignity. The objective of

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## HEARINGS (Assembly)

### April 27th

- Civil Service & State Personnel, 1.30 pm**  
**AB 2153 E. R. Geddes.** OASDI Integration for state employees. **Good**
- AB 2062.** Survivors' benefits in state retirement system. **Watch**
- Criminal Procedure, 3.45 pm**  
**\*AB 1407 O'Connell.** Wire tapping. **Good**
- Education, 3.45 pm**  
**AB 2238 Hanna.** Academic council in state colleges. **Watch**  
**AB 2261 Z'berg.** Date of school elections. **Good**
- AB 579 Donahoe.** Classification of non-certificated school employees. **Watch**  
**AB 392 Sedgwick.** State college board. **Watch**
- AB 114 Hegland.** Functions of state colleges. **Watch**
- Finance and Insurance**  
**AB 963 Rees.** Rees-Doyle Act administration costs. **Bad**  
**\*AB 1163 Rees.** Rees-Doyle Act scope. **Good**  
**AB 1164 Rees.** Rees-Doyle Act extension. **Watch**  
**AB 1767 O'Connell.** Rees-Doyle Act scope. **Good**

### April 28th

- Fish & Game, 3.45 pm**  
**AB 1922 Thomas.** Sale of fish. **Watch**  
**AB 1923 Thomas.** Trawl nets. **Watch**  
**AB 1924 Thomas.** Trawl nets. **Watch**  
**AB 1925 Thomas.** Gill nets. **Watch**
- Government Organization, 1.30 pm**  
**AB 2192 Coolidge.** Workmen's compensation cost of administration. **Bad**
- Water, 1.30 pm**  
**AB 1304 Bruce Allen.** Sale of project water. **Bad**  
**AB 1305 Bruce Allen.** Sale hydroelectric power. **Bad**  
**AB 1847 Lunardi.** Nevada County Agency. **Bad**

### April 29th

- Education, 3.45 pm**  
**AB 1672 Garrigus.** Minimum teacher retirement allowance. **Good**  
**AB 1864 Lanterman.** Use of state textbooks. **Bad**
- AB 1328 E. R. Geddes.** Prohibited instruction in schools. **Watch**
- Elections & Reapportionment, 1.30 pm**  
**AB 2258 Winton.** Campaign contributions from liquor licensees. **Watch**  
**SB 372 Cobey.** Abolish Presidential primary. **Bad**
- Judiciary—Civil, 2.30 pm**  
**AB 1810 Petris.** Special proceedings re validity of redevelopment projects. **Good**  
**AB 594 Unruh.** Equal accommodations. **Good**
- Public Health, 1.30 pm**  
**AB 2146 DeLotto.** State housing act application. **Good**  
**AB 1463 Bradley.** Prohibit water fluoridation. **Bad**  
**AB 2029 Grant.** Gas appliances and vents. **Bad**
- AB 2246 Grant.** Trailer coaches. **Watch**
- Public Utilities & Corporations, 3.45 pm**  
**AB 1697 O'Connell.** Proxy votes in corporations. **Good**  
**AB 1549 Reagan.** Train crews. **Bad**

### April 30th

- Municipal & County Government, 1.30 & 8 pm**  
**AB 1889 Geo. Brown.** Local government reimbursement for employee property damages. **Good**  
**AB 1892 Geo. Brown.** County OASDI integration repeal of 75% limit. **Good**  
**AB 1893 and 1894 Geo. Brown.** County retirement. **Good**  
**\*AB 1240 Miller.** Tax limit repeal for fire districts. **Good**

### May 4th

- Education, 3.45 pm**  
**AB 2299 Garrigus.** Corporal punishment of pupils. **Watch**  
**AB 1427 O'Connell.** Right of teachers to inspect records. **Good**  
**AB 358 Elliott.** Lunch periods for teachers. **Good**
- Fish & Game, 3.45 pm**  
**AB 823 Nisbet.** Sale and importation of halibut. **Watch**
- Government Organization, 1.30 pm**  
**AB 2209 Kennick.** Purchase and consumption of alcoholic beverages by minors. **Watch**  
**AB 2210 Kennick.** Minors in public premises where liquor is sold. **Watch**  
**AB 2211 Kennick.** Presenting false evidence by minors. **Watch**  
**AB 2248 Coolidge.** Administration of state correctional institutions. **Bad**  
**SB 406 Johnson.** Employment of minors on premise of liquor licensee. **Watch**  
**SB 419 Johnson.** Evidence of majority and identity. **Watch**

### May 5th

- Governmental Efficiency & Economy, 3.45 pm**  
**AB 1135 S. R. Geddes.** Practicing as a contractor. **Watch**  
**SB 8 Short.** Disposal of housing authority property. **Watch**  
**\*AB 469 S. R. Geddes.** Contractor's license re owner-builder. **Good**  
**SB 703 Short.** Community redevelopment law. **Good**

### May 7th

- Industrial Relations, 3.45 pm**  
**AB 2302 Bee.** Women's 8 hour law re beauty shops. **Bad**

## HEARINGS (Senate)

### April 27th

- Labor, 1 pm**  
**AB 1223 Hawkins.** Minimum wages. **Good**  
**\*SB 197 & 198 Reagan.** Workman's compensation death benefits. **Good**  
**\*SB 162 Cobey.** Workmen's compensation medical examinations. **Good**
- Agriculture, 10 am**  
**\*AB 734 Crown.** Agriculture workmen's compensation coverage. **Good**

### April 28th

- Business and Professions, 1.30 pm**  
**SB 927 Thompson.** Practice of cosmetology. **Bad**  
**\*AB 470 S. R. Geddes.** Contractors license. **Good**
- AB 1248 Winton.** Local enforcement of building laws. **Watch**  
**SB 511 Christensen.** Highway projects under State Contract Act. **Bad**  
**AB 160 MacBride.** Licensing of barbers. **Watch**  
**SB 564 Shaw.** Television advertising. **Good**  
**SB 421 Thompson.** Barber college enrollments. **Watch**  
**SB 422 Thompson.** Barber shop openings. **Watch**

- SB 609 Gibson.** Barber courses of instruction. **Watch**  
**SB 610 Gibson.** Contractor bankruptcy. **Watch**
- Fish & Game, 1 pm**  
**SB 56 Murdy.** F&G Commission powers over commercial fishing. **Bad**  
**SB 150 Murdy.** Anchovies canning limit. **Bad**
- Governmental Efficiency Subcommittee on Alcoholic Beverages, 10 am**  
**SB 97 Farr.** On sale and off sale license limit. **Watch**  
**AB 756 Burton.** Equal accommodations. **Good**
- Transportation, 9 am**  
**\*AB 189 Charles H. Wilson.** L.A. Transit Act. **Good**

### April 29th

- Education, 10 am**  
**SB 1012 Montgomery.** Adult education. **Good**  
**SB 1063-65 Miller.** State Colleges. **Watch**  
**AB 1722 Hegland.** Admission of minors in adult education. **Bad**
- Judiciary, 10 am**  
**SB 556 Farr.** Failure to pay wages. **Watch**  
**\*AB 380 Bane.** Pension contributions by employers. **Good**
- Local Government, 1 pm**  
**\*AB 618 McMillan.** Firefighters right to organize. **Good**  
**AB 1499 George A. Willson.** Bi-weekly wage payments for non-certificated school employees. **Good**

### April 30th

- Judiciary, 10 am**  
**AB 890 Hawkins.** Discrimination in publically assisted housing. **Good**
- Public Health & Safety, 1.30 pm**  
**AB 1631 Rumford.** Bay Area air pollution. **Watch**  
**SB 338 Burns.** Food additives and adulterations. **Watch**

### May 4th

- Public Utilities, 10 am**  
**SB 856 Short.** Railroad car repair. **Good**  
**SB 369 Delwig.** Property disposition by public utilities. **Bad**
- Revenue and Taxation, 1.15 am**  
**AB 1172 MacBride.** Governor's cigarette and tobacco tax. **Bad**

### May 5th

- Elections, 10 am**  
**AB 195 Conrad.** Cancellation of voter registrations. **Bad**  
**AB 236 Conrad.** Presidential voting for new residents. **Watch**

### May 6th

- Education, 10 am**  
**AB 1457 Elliott.** Tenure transfer. **Good**
- Governmental Efficiency, 9.30 am**  
**AB 113 Elliott.** Discrimination in redevelopment projects. **Good**  
**AB 320 Winton.** "Purity of Elections" bill. **Bad**  
**\*AB 608 Pattee.** Public works informal bids. **Good**
- Local Government, 1 pm**  
**SB 644 Cobey.** San Joaquin Valley Air Pollution Control District. **Watch**  
**\*AB 528 Masterson.** Fire fighters workmen's compensation re hernia, heart trouble and pneumonia. **Good**

## GARMON DECISION REVERSED

(Continued from Page 1)

had the effect of negating the action of the earlier Supreme Court decision. It was this state court award of damages that was reversed by the U.S. Supreme Court this week on Federation appeal.

Although the decision was unanimous in reversing the award of damages, the Justices divided 5 to 4 on how far they would restrict state action in labor disputes affecting interstate commerce. The Court majority held that the state cannot "regulate activities that are potentially subject to the exclusive Federal regulatory scheme."

C. J. Haggerty, Secretary-Treasurer of the California Labor Federation, hailed the court ruling as "the most encouraging court decision rendered in a number of years."

The executive head of the AFL-CIO said: "It follows a concerted effort by irresponsible employers to undo our national democratic system of industrial relations and return labor relations to the laws of the jungle that existed prior to the enactment of the national labor law. I sincerely hope that these employers will now bend their efforts in the direction of developing constructive relationships.

"The decision," Haggerty added, "is being studied carefully for all of its ramifications."

## COST OF LIVING

### UNCHANGED IN MARCH

The cost of living nationally, as measured by the U.S. Bureau of Labor Statistics of the Department of Labor, held unchanged in March.

The labor department announced this week that its consumer price index stayed at 123.7 percent of the 1947-49 average, completing the longest period of relative price stability on record. The index has not fluctuated by more than two points in the past nine months, and now stands two-tenths of a point below the all time high of 123.9 reached last July and again in November, 1958.

Falling food costs in March offset higher prices for some other items in the family budget.

In San Francisco, however, the government's index reached a new peak. Goods and services which cost \$100 in 1947-49 cost \$129 last month—up nine-tenths of one percent since last December, and 1.8 percent above the figures of March, a year ago.

## LEGISLATIVE NOTES

(Continued from Page 1)

Senate Republicans and Senate Democratic leader Hugh Burns. Chances for passage of the measure by the upper house appear to have improved. The Assembly passed the measure by vote of 49 to 29 on February 24th.

**Taxes.** Two additional measures in the Governor's tax program have reached the Assembly floor: AB 1173, which would increase horse racing fees by about \$12.4 million, and AB 1176, which would boost inheritance and gift tax yields by some \$2 million. The Assembly has already sent to the upper house the Governor's cigarette and income tax bills. These latter bills have been set for hearing before the Senate Revenue and Taxation Committee for May 4th and 11th respectively.

**Probationary Teachers.** The Senate this week voted 21 to 13 to extend the provisions of present law regarding the dismissal of probationary teachers for cause only to smaller districts. SB 899 (Fisher), a measure sponsored by the AFL-CIO teachers, may be headed for trouble in the Assembly Education Committee. In the past, the CTA has joined with administrators to kill any liberalization measure.

**Federation Sponsored-Measures.** By unanimous vote, the Assembly has passed AB 1243 (Miller), a measure which safeguards fire fighter's employment rights upon consolidation of fire districts. On the floor of the Assembly are several Federation-sponsored measures: AB 317 (Z'berg), which includes health and welfare payments in prevailing rates on public works; AB 471 (Samuel R. Geddes), which provides for the licensing of contractors whose operations are concerned with the installation of laying of carpets, linoleum, and resilient floor covering; AB 433 (Bee) relating to the payment of unemployment insurance benefits; and SB 136 (Farr), which extends partial unemployment insurance benefits for commercial fishermen.

## \$23 MILLION INCREASE IN SCHOOL AID RECOMMENDED

A subcommittee of the Assembly Education Committee has recommended a \$23 million increase in state apportionments to school districts.

The subcommittee also recommended in its report to the full committee that adult education support remain at present levels, rather than be cut back 25 percent as recommended by the Governor.

The overall increase proposal is in line with Governor Brown's school support program, but about half the amount suggested by the State Board of Education.

## CONSUMER COUNSEL BILL REACHES ASSEMBLY FLOOR

Governor Brown's proposal for the establishment of a consumer counsel within his office appears almost certain of enactment into law.

The proposal is embodied in SB 33 (Richards), which has already received approval of the upper house of the California Legislature.

The Consumer Counsel, appointed by the Governor at a salary of \$15,000 a year, would be charged with the responsibility of advising the Governor on all matters affecting the interests of the people as consumers and recommending to him and the Legislature the enactment of such legislation as necessary to protect and promote the interests of the people as consumers.

In carrying out his duties, the Counsel would be authorized to (a) appear before governmental commissions, departments, and agencies as an advocate of consumer interests, (b) co-operate and contract with public and private agencies for the obtaining of statistical surveys, printing, economic information, and other necessary services, and (c) perform all other acts that may be incidental to the exercise of his powers and functions as conferred by the bill.

The Governor would also be authorized by the measure to create advisory committees to assist the Consumer Counsel.

## MARCH MANUFACTURING EMPLOYMENT INCREASES

California manufacturing employment increased by 16,600 in March to a total of 1,248,300 wage and salary workers, John F. Henning, California Director of Industrial Relations, announced today. The current employment total represents a gain from March a year ago of 6½ percent, or 76,200 additional factory jobs.

More than four-fifths of the increase over the year occurred in durable goods manufacturing. Every industry group in this category had higher employment than in March a year ago. New employment highs were chalked up in missiles and electrical equipment.

Employment in the aircraft industry rose to 244,800 wage and salary workers last month from 243,600 in February. Employment in this industry has increased slowly over the past nine months, and is now more than 5,000 higher than a year ago.

February-March gains were reported by nearly every manufacturing industry. Advances of more than 1,000 each were recorded in fabricated metals, aircraft, machinery, primary metals, electrical equipment, apparel, canning, rubber products, and automobiles.

## HAGGERTY URGES PUBLIC EMPLOYEE RIGHTS BILL APPROVAL

Extension to public employees of present state policy on the right to self-organization was urged this week by C. J. Haggerty, Secretary-Treasurer of the California Labor Federation, AFL-CIO.

In individual letters to members of the state Assembly, the AFL-CIO leader urged approval of AB 602 (McMillan and George E. Brown) presently before the lower house of the state legislature.

This measure, Haggerty wrote the legislators, "was introduced at the request of the California Labor Federation, and is considered basic in organized labor's legislative program."

AB 602 provides that the state policy provisions of the Labor Code Section 923, relating to the fundamental rights of workers to organize for the purpose of affecting their conditions of employment and other mutual aid and protection, "shall be applicable to and implemented by cities, counties, political subdivisions and agencies of the state in dealing with organizations composed of employees other than policemen and deputy sheriffs."

A court decision issued in 1946 ruled that the Labor Code policy provisions on the right to organize do not apply to public employment.

As AB 602 comes up for passage in the Assembly, it carries a committee amendment which would make extension to public employees subject to the "limitations of the Constitution and laws of the State and the provisions contained in the charter and applicable ordinances of cities, counties, political subdivisions and agencies." This has been interpreted by the legislative counsel's office to mean that collective bargaining would be permissible with public agencies under the bill.

An all out campaign to kill the measure has been launched by the League of California Cities and other public agency groups, working together with "company union" type associations of public employees.

In urging adoption of the measure, Haggerty pointed out that labor does not stand alone in support of the objectives of the bill. The principle embodied in AB 602, Haggerty said, "is advocated by the American Bar Association and the National Association of City Managers."

"Its soundness," he added, "has been tested and proven already in several states where it has been in operation for many years."

The extension of the right to organize and collective bargaining of public

## ASSEMBLY UNIT APPROVES WATER CONSTITUTIONAL AMENDMENTS

The Assembly Water Committee this Tuesday voted approval of two constitutional amendments designed to settle the north-south water development dispute and put California into the water and power business.

The two measures, ACA 26 (Bruce F. Allen) and ACA 33 (Porter), would prohibit the abrogation of state water and power delivery contracts, except by two-thirds vote of both houses of the legislature.

The Porter proposal also carries a bond issue to help finance the construction of the state Feather River Project, which proposes the transportation of stored water as far south as the Los Angeles area. Although not specified in the measure, a bond issue of \$960 million has been mentioned.

Both measures are silent on the question of policy regarding the distribution of benefits from proposed state projects. In the case of the Porter constitutional amendment, the people would be asked to vote an unprecedented amount in general obligation bonds without so much as one word to indicate who would get the taxpayer subsidies implicit in the Feather River Project.

It is a recognized fact that large landholders in the lower end of the valley stand to gain millions of dollars annually in taxpayer subsidies without any anti-monopoly protections in state law.

At Oroville dam in the proposed FRP, the P.G.&E. is in line to capture all the public power generated.

To date, Governor Brown and the proponents of compromise for the sake of "getting a water program going" have refused to face up to the monopoly issue.

## NORTHERN LABOR COUNCILS UNITE

Harry Finks, Secretary of the Sacramento-Yolo labor council, announced this week completion of a merger of the Sacramento and Yolo County labor groups with those in Placer, Nevada, El Dorado and Amador Counties.

The merger was effected officially with the dissolution of the former Tri-County Labor Council which encompassed Placer, El Dorado and Nevada Counties.

The unity move, Finks said, was authorized by the AFL-CIO. Lt. Governor Glenn Anderson addressed the merged organization.

employees is also one of the planks of the state Democratic party. Both the state Assembly and Senate have Democratic majorities.

## CITIZENS COMMITTEE

*(Continued from Page 1)*

ending discrimination against farm workers in the field of socio-economic legislation, as in the instance of the minimum wage bill before the legislature, constitutes only one aspect of the committee's program. Sponsors of the citizens committee include:

Peter A. Andrade, Western Director, Teamsters Cannery & Process Workers Union; William Becker, Area Representative, Jewish Labor Committee; Rabbi Ben Bergman, Board of Rabbis of Southern California; Reverend Douglas Still, Director, California Migrant Ministry; Ernesto Galarza, Secretary-Treasurer, National Agricultural Workers of America;

C. J. Haggerty, Secretary-Treasurer, California Labor Federation, AFL-CIO; Clive Knowles, International Representative, United Packinghouse Workers, AFL-CIO; Father Donald McDonnell, Director Region 11, National Catholic Rural Life Conference; Anthony Rios, President, Community Services Organization; Trevor Thomas, Executive Secretary, Friends Committee on Legislation; Franklin Williams, West Coast Secretary, National Association for the Advancement of Colored People; James Murray, San Francisco attorney, is acting Secretary of the organization.

## ASSEMBLY COMMITTEE KILLS TEACHER'S RIGHT BILL

The Assembly Education Committee this week refused to give a "do pass" recommendation to an AFL-CIO teachers-sponsored measure which would guarantee free choice of organizations by teachers.

The lower house unit voted 7 to 4 in favor of the measure, but 8 votes are needed in the 17 member committee to send a bill to the floor for consideration.

Embodied in AB 1162 (Waldie), the bill declared state policy that teachers shall have the right to join an organization of their own choosing without interference on the part of supervisors and administrators.

The California Teachers Association and school administrators joined forces to hold the bill in committee.

Voting for the bill were the following: Garrigus, Britschgi, Elliott, Samuel Geddes, Hegland, Waldie, and Donahoe.

The following Assemblymen voted against the measure: Collier, Cusanovich, Hanna, and Reagan.

Assemblymen Bee, Sedgwick and Winton were present but were not recorded as voting. Assemblymen Gaffney, and Ernest Geddes were absent.

## ASSEMBLY BILLS

**AB 2436 Petris** (Revenue and Taxation) Permits tax funds collected under the present law for carrying out child care center programs to be used for the purchase of land, buildings, and equipment, or the construction or alteration of buildings for child care centers. Permits future tax levies for such purpose.

To take effect immediately, urgency measure. April 13. **Watch**

**AB 2438 Francis** (Public Utilities and Corporations) Prohibits transmission of television signals originating in the State from point to point within the State without first obtaining a certificate of public convenience and necessity from the Public Utilities Commission. April 13.

**Watch**

**AB 2439 Francis** (Public Utilities and Corporations) Prohibits transmission of television programs within this State for reception within the State for which a viewing charge is made if the program is simultaneously broadcast in the regular manner as a free broadcast anywhere in this State. April 13.

**Bad**

**AB 2442 Z'berg** (Civil Service and State Personnel) Permits specified refund to employees of a public agency under contract with the State Employees' Retirement System for the excess amount of contributions paid to the State Employees' Retirement System during the period of integration with the federal old age and survivors' system preceding the time federal contributions are first deducted from the salaries and wages of such employees. April 13.

**Good**

**AB 2458 Rees** (Government Organization) Creates a State Air Pollution Board composed of the Director of Public Health, the Director of Motor Vehicles, and five other members, two of whom shall be representatives of air pollution control districts, appointed by the Governor. Provides that the Governor shall also appoint a director of Air Pollution, who shall have charge of the staff employed by the board. Requires the board to act as a collecting agency and repository for all available information with regard to air pollution, to advise and assist local agencies having air pollution problems, to act as a co-ordinating body for air pollution control research activities of state agencies to establish and maintain air pollution testing stations throughout the State, and to report annually to the Governor and the Legislature. Authorizes the board to establish recommendations for the calling of air pollution alerts and to receive and accept grants-in-aid and other contributions. April 14.

**Good**

**AB 2460 Porter** (Education) Extends probationary period of academic teaching and administrative employees of state colleges from three to seven years. April 14.

**Bad**

**AB 2469 Donahoe** (Education) Allows a school district, subject to the provisions of the State Employees Retirement Law making compulsory the inclusion of certain district employees in the State Employees' Retirement System as contract members under a contract between the system and the county superintendent of schools, to enter a separate contract with the system covering such district employees if it also enters a contract for the inclusion of such employees in the federal system for old age and survivors insurance.

Allows division of retirement system into those members desiring, and those not desiring, coverage under federal system with respect to employees of school districts in a county who are contract members of the state system under a contract between the state system and the county superintendent of schools.

Makes other technical and clarifying changes. April 15. **Good**

**AB 2471 Mulford** (Elections and Reapportionment) Requires that campaign material pertaining to a ballot measure have indicated thereon the name of the individual responsible therefor or the names of two officers of the organization responsible therefor, if issued by an organization. Makes violation a misdemeanor. April 14.

**Good**

**AB 2485 Donahoe** (Education) Allows the governing boards of any school district to provide an annual employment contract with employees in the classified service for one to four years or provide for making such employees permanent and subject to dismissal for cause only, rather than prohibiting any governing board to enter a contract with district employees which extends beyond the end of the next ensuing school year.

Prescribes length of workweek for classified employees, provides for allowing compensation or compensatory time off for overtime, and makes such provisions applicable to districts with merit systems. April 15. **Watch**

**AB 2486 Donahoe** (Education) Requires governing board of school district to withhold a portion of the pay of classified employees when such employees are employed for a period of less than one year and elect to have such pay withheld and paid at a later date. Provides an

exact percentage to be deducted from monthly salary and repaid later when person is employed for 9, 10, or 11 months of the year. Provides that every classified employee employed five days a week shall be entitled to at least 12 days per year of paid sick leave, and any additional days that the board may allow. Prescribes a proportionate amount of sick leave for those employees employed less than five days a week or less than 12 months a year.

Authorizes classified employee with more than six months service to take such leave of absence for illness or injury without regard to whether or not he has sufficient leave already accrued. Prescribes that pay for sick leave shall be at the same rate as regular pay and that there shall be no limit of days of sick leave which an employee may accrue.

Provides that any classified employee who has served six months or more shall be entitled to be paid not less than 20 percent nor more than 50 percent of his regular monthly wage when he is absent from his duties as a result of illness or injury for a period of 110 working days or less, if all other regular leave has been used.

Makes foregoing provisions applicable to district which have adopted the merit system. April 15. **Watch**

**AB 2487 Donahoe** (Education) Prohibits initial employment of any person by a school district unless that person has, within two years, submitted to an X-ray examination or intradermal tuberculin test for tuberculosis.

Permits required X-ray to be taken by qualified technician if subsequently interpreted by a licensed physician and surgeon.

Authorizes the governing board to reimburse applicants for employment for costs of examination upon being hired and requires that board provide examination or reimburse employees for cost of examinations.

Permits board to waive examination of classified employees who are employed for less than a school year and who are not in frequent and prolonged contact with pupils.

Provides that the board may require, as a condition of contract, the examination of persons employed for construction or repair work in and around school premises.

Eliminates requirement for X-ray examination for employees, rather than persons, who refuse to have examination on religious grounds. Permits any school district with an average daily attendance of 60,000 or more to elect to maintain its own file of employees' examination certificates, rather than filing such certificates with the county superintendent of schools. April 15. **Watch**

**AB 2493 Waldie** (Education) Permits governing board of school district to require bidders on printing work to name subcontractors and specify amount of work to be performed by such subcontractors. Permits such boards to reject bid of any bidder not approved for apprenticeship training in industry. April 16. **Good**

**AB 2510 Burton** (Governmental Efficiency and Economy) Specifies that discrimination in employment because of sex by an employer, labor organization, or employment agency shall be subject to the same restrictions as set forth in the California Fair Employment Practice Act as proposed by A.B. 91 applying to discrimination based on race, religious creed, color, national origin, or ancestry.

To be operative only if A.B. 91 is enacted by the Legislature at the 1959 Regular Session. April 17. **Good**

**AB 2517 Rees** (Government Organization) Broadens provision, which authorizes the Department of Finance in cases of conflicts between state, federal and local agencies in respect to public works projects to take action to settle the conflicts by encouraging conferences and agreement between the agencies involved, to authorize the action where there is a conflict in proposed, rather than planned, public works projects, and the facilities of the department for conferences between federal and county or city agencies as well as for conferences between state and local agencies.

Provides that the department shall encourage conferences between state and federal agencies contemplating projects and local agencies having jurisdiction over the territory in which the projects will be located with the objective of co-ordinating the projects with local and regional long-range planning.

Makes other technical and clarifying changes. April 16. **Good**

**AB 2519 Rees** (Government Organization) Requires Department of Finance to prepare and maintain a general plan for the physical growth and development of the State, to be known as the State Development Plan; to have the plan printed by the State Printer as a public document; to transmit a copy to the Governor; and to report thereon to the Legislature at each general session.

†No bill may be taken up until 30 days after date of introduction indicated in Digest, except by  $\frac{3}{4}$  vote.  
\*Sponsored by the California Labor Federation, A.F.L.-C.I.O.

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### ASSEMBLY BILLS (Con't.)

Requires Governor to review, and if he approves a plan, to transmit plan, with his recommendations, to each house of the Legislature and to the Secretary of State.  
Provides that Legislature may adopt, by resolution, plan in principle.  
Requires District of Finance, if plan so approved, to transmit to each state and local agency and to appropriate federal agencies. April 16. **Good**

**AB 2520 Unruh** (Elections and Reapportionment) Requires that the polls in any county containing a population in excess of 3,000,000 be kept open until 8 p.m., rather than 7 p.m., on election day. April 16. **Good**

**AB 2535 Burton** (Finance and Insurance) Adds nonprofit corporations to enumerated employer groups eligible to obtain group life insurance for their members or employees. April 17, 1959. **Good**

### SENATE BILLS

**SB 1201 Gibson** (Governmental Efficiency) Increases bar pilotage rates for San Francisco, San Pablo and Suisun Bays from \$6 to \$7.25 per draft foot of vessel's deepest draft. April 13. **Watch**

**SB 1216 Collier** (Transportation) Provides a statement of legislative policy for the guidance of the California Highway Commission and the Department of Public Works in determining locations for state highways as freeways as is otherwise authorized. Provides that the commission shall by resolution prescribe the procedure whereby interested parties are afforded an opportunity to express their views and shall cause the publication of the resolution in the California Administrative Code. Provides that the annual report to the Department of Public Works shall include a copy of the resolution and a summary of activities conducted pursuant to the resolution. April 14, 1959. **Good**

**SB 1229 Fisher** (Business and Professions) Prohibits barber colleges from being open to the public for more than five days in any week or more than 45 hours in any week. April 15. **Watch**

**SB 1239 Gibson** (Business and Professions) Authorizes examining committee to waive examination for license as a physical therapist if applicant is registered with Board of Medical Examiners as a physical therapist and has passed the examination required for such registration. April 16. **Watch**

**SB 1240 Holmdahl** (Elections) Requires that campaign material pertaining to a ballot measure have indicated thereon the name of the individual responsible therefor or the names of two officers of the organization responsible therefor, if issued by an organization. Makes violation a misdemeanor. April 16. **Good**

**SB 1241 Holmdahl** (Insurance and Financial Institutions) Provides that every group disability master policy shall contain a provision granting coverage after retirement to all employees or members who were under such policy at least five years before retirement. April 16. **Watch**

**SB 1242 Farr** (Governmental Efficiency) Makes existing allowance to surviving spouse of judge who dies before retirement but after becoming eligible for retirement or who dies while a judge after 30 years' service payable with respect to surviving spouse of judge who dies on or after January 1, 1954. April 16. **Good**

**SB 1244 Rodda** (Local Government) Provides for appointment of the county superintendent of schools by the county board of education. Operative upon the adoption by the people of the constitutional amendment proposed at this session, allowing such appointment and deleting the requirement that the superintendent be elected. April 17. **Watch**

**SB 1245 Donnelly** (Agriculture) Defines "blood" in eggs as meaning only the presence of blood diffused into the white, rather than the presence also of blood rings or blood veins due to embryo development. Defines "inedible eggs" as including eggs containing blood rings or blood veins due to embryo development. Provides that eggs with shells cracked and exuding contents shall not be considered inedible unless otherwise unfit for human consumption. Defines "leakers" as eggs having checks or cracks to the extent that the white exudes to the surface, and permits 5 percent "check" tolerance of "leakers" in case of "grade A" eggs. April 17. **Bad**

**SCA 25 Rodda** (Local Government) Allows Legislature to provide for appointment or election of the county superintendent of schools, rather than requiring his election at each gubernatorial election. Deletes language authorizing the Legislature to allow two or more counties to unite and elect one superintendent for the counties uniting. April 17. **Watch**

**ACA 42 Britschgi** (Constitutional Amendments) Eliminates provision relating to the election of the Superintendent of Public Instruction, and creates in lieu thereof an 11-member State Board of Education to be appointed by the Governor.

Provides various terms for members from 4 years to 10 years. Vests board with powers, duties, and responsibilities of State Board of Education, State Superintendent of Public Instruction, Director of Education, and Department of Education. Provides board shall appoint superintendent of Public Instruction. Effective January, 1963. April 15. **Bad**

**AJR 31 Waldie** (Rules) Requests the Secretary of Interior to withhold action on the proposed Pacific Northwest intertie between the Bonneville Power Administration and the Pacific Gas and Electric Company until the committee of officials of California, Oregon, and Washington and the United States Senate Committee on Interior and Insular Affairs' Subcommittee on Irrigation and Reclamation have completed their investigations. April 14. **Good**